



CRM-M-26406-2025 (O&M)

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

108+244

CRM-M-26406-2025 (O&M)

Date of decision : 20.05.2025

Ashwani Kumar @ Ashwani

... Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Raman Chawla, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Mazlish Khan, Advocate for respondents No.2 & 3.

H.S. Grewal, J.(Oral)**CRM-21062-2025**

This application is for placing on record the order dated 06.05.2025 (Annexure P-12) passed by this Court whereby similarly situated co-accused Vikash has been granted bail on the basis of compromise as Annexure P-12.

2. Heard.

3. For the reasons stated in the application, the same is allowed and Annexure P-12 is taken on record subject to all just exceptions.

Main case

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in FIR No.901 dated 18.12.2024,



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under Sections 190, 191(2), 310(2), 331(3), 137 & 351(3) of BNS, 2023 registered at Police Station Barwala, District Hisar.

2. Learned counsel for the petitioner submits that it is alleged that the petitioner along with co-accused had forcibly kidnapped the complainant along with one-Pankaj and threatened the complainant to work as per their instructions otherwise they will shoot him. Learned counsel, however, submits that the petitioner was neither named in the FIR nor any role has been attributed to him. He further submits that the petitioner is in custody since 23.12.2024 and the matter has been settled between the parties. He also submits that co-accused Sameer @ Sinu has been granted bail by the Coordinate Bench of this Court in CRM-M-14093-2025 on 01.04.2025 and another co-accused Vikash has been granted bail by this Court in CRM-M-14681-2025 on 06.05.2025 and the petitioner is seeking parity with co-accused(s).

3. Learned State counsel, upon instructions, submits that although challan has been presented but charges are yet to be framed. He vehemently opposes the prayer for grant of regular bail to the petitioner as he is involved in 14 more cases. He has filed the custody certificate in Court which is taken on record. As per the custody certificate, the petitioner is in custody for 04 months and 26 days.

4. Mr. Mazlish Khan, Advocate has put in appearance on behalf of respondents No.2 & 3 and has filed the vakalatnama in Court which is taken on record. He submits that the matter has indeed been compromised between the parties and he has no objection if the bail is granted to the petitioner.



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5. I have heard the learned counsel for the parties and perused the record.

6. In view of the above submission of learned counsel(s) and the fact that the petitioner is in custody for 04 months and 26 days; co-accused(s) have been granted bail; the matter is stated to be compromised between the parties and the trial is likely to take time as charges are yet to be framed, the continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

(H.S.GREWAL)
JUDGE

20.05.2025
A.Kaundal

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No