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

CRM-M-557-2025

Date of Decision: 16.05.2025

KHETA RAM

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

**Coram :** Hon'ble Mr. Justice N.S.Shekhawat**Present :** Ms. Sweta Beniwal , Advocate  
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

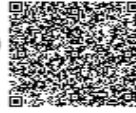
Mr. Salil Dev Singh Bali, Advocate  
for the complainant.

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**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.241 dated 18.09.2024, registered under Sections 305, 318(4), 324(4), 324(5) & 61 of BNS, Police Station Siwani, District Bhiwani.

2. Learned counsel for the petitioner has vehemently argued that the petitioner had no concern or connection with the offence, as mentioned in the FIR (Annexure P-1). Even, the petitioner was neither named in the FIR, nor there is any averment which connects him with the commission of crime in any manner. She further submits that as per the case of the prosecution, the co-



accused had suffered a statement in police custody and the petitioner has been wrongly nominated as an accused in the present case. Now, the investigation has been completed and the challan has been presented against the petitioner on 19.11.2024. She further contends that even in the challan, the police could not mention any incriminating evidence against him and the petitioner has been wrongly nominated as an accused in the present case. The petitioner was arrested in the present case on 26.09.2024 and is not in a position to tamper with the prosecution evidence in any manner. She further contends that even though, 05 more FIRs were ordered to be registered against the petitioner, but he is on bail in all other cases.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner has repeatedly involved in various criminal cases and keeping in view his antecedents, he does not deserve the concession of bail by this Court.

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

5. No doubt the petitioner is found involved in 05 other criminal cases, but the same is not the ground to deny the concession of bail to the petitioner, specially when he has been able to make out a case for grant of bail in the peculiar facts and circumstances of the present case. Reliance can also be placed in the matter of *Prabhakar Tewari Vs. State of U.P., and another 2020(1) R.C.R. (Criminal) 831* in which the Hon'ble Supreme Court has held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the



Hon'ble Supreme Court in the matter of ***Maulana Mohd. Amir Rashadi Vs. State of U.P., and another 2012(1) R.C.R. (Criminal) 586.***

6. Still further, the petitioner is stated to be in custody for the last more than 08 months and challan has already been presented against him. Moreover, the prosecution has not been able to examine even a single witness in the present case and further custody of the petitioner will not serve any useful purpose. Apart from that, the prosecution has also failed to place on record any material to show that the petitioner is in a position to influence the witnesses of the prosecution or may abscond from the process of law.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

*(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*

*(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*

*(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*

*(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*

*(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number,*



*he shall share the details with the concerned Court/learned Trial Court.*

*(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

*(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

8. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

**16.05.2025**  
*vipin*

**(N.S. SHEKHAWAT)**  
**JUDGE**

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