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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-49857-2024 (O&M)

Date of decision: 18.08.2025

SACHIN

... Petitioner

Versus

STATE OF HARYANA

.. Respondent

CORAM : HON'BLE MR. JUSTICE H.S. GREWAL**Present:-** Ms. Riffi Birla, Advocate for the petitioner.

H.S. Grewal, J. (Oral)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), seeking regular bail in FIR No.22 dated 29.01.2024 under Sections 147, 148, 302 of IPC and Sections 27 & 54 of Arms Act, 1959 (Section 149 & 120B IPC and Section 25 of Arms Act were added at the time of presentation of challan, Section 54 of Arms Act was deleted) registered at Police Station Sector-37, District Gurugram.

2. The case of the prosecution is that one Krishan Kant alongwith his 4-5 friends has caused injuries to Akash, the brother of the complainant and Akash died on account of injuries caused to him. However, it is stated that the petitioner was neither named in the FIR nor in the statement of the complainant while appearing as prosecution witness i.e. PW-1. Moreover, no role has been attributed to the petitioner.

3. Learned counsel for the petitioner contends that the petitioner has undergone custody for the period of more than 01 year and 06 months and out of 35 cited prosecution witnesses, only 07 have been examined so far.

4. Notice of motion.

5. Mr. Tapan Masta, Addl. A.G., Haryana, accepts notice on behalf of the respondent-State.



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6. Learned counsel for the State by way of filing of custody certificate vehemently opposes the grant of concession of regular bail and does not refute the fact that the petitioner has undergone custody period of 01 year, 06 months and 12 days and out of 35 cited prosecution witnesses, only 07 have been examined so far.

7. I have heard learned counsel for the parties and have gone through the material placed on record.

8. Keeping in view the facts and circumstances of the present case, , the custody period undergone by the petitioner is 01 year, 06 months and 12 days and that out of 35 prosecution witnesses, only 07 have been examined and also conclusion of the trial is likely to take a long time, further incarceration of the petitioner would not serve the ends of justice. Therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

9. Hence, without expressing any opinion on the merits of the case, the instant petition is **allowed**. The petitioner is granted concession of regular bail in the present case, on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/ Chief Judicial Magistrate concerned. The pending applications, if any, also stand disposed of.

10. It is however, made clear that in case during his bail, the petitioner indulges in any offence, the State shall be at liberty to file an application for cancellation of bail of the petitioner.

11. Pending applications, if any, also stand disposed of.

18th August, 2025

Sonia Puri

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No