



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

244

CRM-M-35243-2025

Date of decision: 17<sup>th</sup> July, 2025

Rahul

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Manish Soni, Advocate and  
Mr. Gurdeep Grewal, Advocate for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

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**MANISHA BATRA, J (ORAL):-**

The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 167 dated 22.09.2017 registered under Sections 148, 149, 302 and 386 of IPC, 1860 and Section 25 of Arms Act, 1959 at Police Station City Sohana, District Gurugram.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the allegations that on 21.09.2017, the petitioner along with co-accused had entered into the shop of the victim-Bhuvnesh, while being armed with country made pistol and had made demand for money. On refusal by the victim, he was assaulted and was then murdered by firing a shot with country made pistol. The petitioner had been arrested on 18.11.2017. He was extended benefit of regular bail vide order dated 03.06.2019 passed by

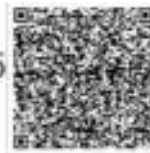


learned trial Court. He could not appear before the learned trial Court on 24.03.2021 as he was arrested in some other case by the police and was lodged in Tihar Jail, Delhi. As a consequence, his bail was cancelled and bonds were forfeited to the State. Proclamation proceedings were initiated against him and he was declared a proclaimed person on 08.04.2022. He was arrested again and is in custody since 09.12.2022. He had moved an application for grant of regular bail, which was dismissed by the learned Additional Sessions Judge, Gurugram, vide order dated 21.10.2024.

3. It is argued by learned counsel for the petitioner that his absence was not intentional but was due to the reason that he was lodged in custody in some other case. He is in custody in this case since 09.12.2022. The material witnesses have already been declared hostile. He was given benefit of bail earlier since there was no incriminating evidence against him. Trial would take considerable time to conclude. No useful purpose would be served by keeping him in custody. He is ready to abide by all the terms and conditions for grant of bail. Therefore, it is urged that he deserves to be released on bail.

4. *Per contra*, learned Deputy Advocate General, Haryana, has argued that the petition does not deserve to be allowed as there are serious and specific allegations against the petitioner. There are chances of his absconding again, if released on bail. He is a habitual offender and several other cases including one case under Section 174-A of IPC, are pending against him. With these broad submissions, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned



State counsel at considerable length and have gone through the record carefully.

6. The petitioner had been extended benefit of regular bail in this case on 03.06.2019. Trial is likely to take time. Keeping in view the above discussed facts and circumstances of the case, but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal and surety bonds by two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned. He shall appear before the concerned Police Station once on the first Monday of every month. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number to the learned trial Court and in case, any change in his address or mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]**  
**JUDGE**

**17<sup>th</sup> July, 2025**

*Parveen Sharma*

1. *Whether speaking/ reasoned* : *Yes / No*  
2. *Whether reportable* : *Yes / No*