



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

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**CRM-M-285-2025 (O&M)
Date of Decision: 10.02.2025**

Ashok Nath

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

PRESENT: Mr. D.S. Virk, Advocate for the petitioner.

Mr. Ashok Sehrawat, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short*, 'BNSS'), for grant of bail pending trial to the petitioner in FIR No.367 dated 03.06.2024, under Sections 323, 324, 326 & 506 read with Section 34 of the Indian Penal Code, 1860 (*for short*, 'IPC'), registered at Police Station Rania, District Sirsa.

2. Allegations are that petitioner along with other co-accused caused injuries to the *de facto* complainant-Mukesh Nath and his brother, namely, Bishamber Nath.

3. Contends that the alleged occurrence took place on 01.06.2024; whereas, present FIR was registered on 03.06.2024, after an unexplained delay of 02 days. Further contends that petitioner is in custody since 23.07.2024 and charges have already been framed on 30.09.2024. Also



submits that after recording the examination-in-chief of PW-1 Mukesh Nath, an application has been moved under Section 319 of the Code of Criminal Procedure, 1973 (*for short, 'Cr.P.C.;*) for summoning additional accused, which is still pending for consideration; thus, conclusion of trial may take sufficient long time.

4. *Per contra*, learned State counsel opposes the prayer; but, on instructions, duly acknowledged the stage of trial as well as the factum that no other criminal case is pending against the petitioner.

5. Heard both sides and perused the paper-book.

6. Concededly, petitioner is in custody since 23.07.2024; charges have already been framed on 30.09.2024; but an application moved by the prosecution under Section 319 Cr.P.C. is pending for consideration. Still further, petitioner is not involved in any other case. As the conclusion of trial shall take sufficient long time; therefore, further incarceration of the petitioner would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and fully co-operate with learned trial Court without seeking any unnecessary adjournments.

9. Above observations be not construed as an expression of opinion on the merits of the case, in any manner.



10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

10.02.2025

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(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/ reasoned

: *Yes / No*

Whether reportable

: *Yes / No*