



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

216

CRM-M-43910-2025 (O&M)

Date of decision: 08.09.2025

Jaivir

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Akashdeep Singh, Advocate for the petitioner

Mr. Rajiv Sidhu, Sr. DAG Haryana

Ms. Sweta Beniwal, Advocate for the complainant

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.471 dated 08.12.2024, registered under Sections 191(2), 190, 109, 115(2), 117(2), 126(2), 351(2) of BNS, at Police Station Tosham, District Bhiwani.

2. Learned counsel contends that the petitioner has been in custody for more than 8 months. He alleges false implication and as per the allegations, fist blow given to injured Anil and Sunil has been attributed to him, while co-accused Satyawan, who was also attributed similar role, has been granted regular bail by this Court vide order dated 17.07.2025, Annexure P-1 after being behind bars for 6 months and 25 days. Charges have been framed on 02.06.2025, however, out of 20 prosecution witnesses, only 1 has been examined. The petitioner is not involved in any other case.

3. The custody certificate dated 05.09.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 8



months and 14 days.

4. Learned State counsel as well as learned counsel for the complainant oppose the bail on the ground that there are serious allegations against the petitioner as he was the main conspirator and had the motive to commit the offence. However, he is unable to controvert the submissions with regard to stage of the case, co-accused having been granted regular bail and the petitioner not being involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 8 months and 14 days; not involved in any other case; co-accused has already been granted regular bail; charges stand framed on 02.06.2025, however, out of 20 prosecution witnesses only 1 has been examined so far, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.



- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

08.09.2025

M.Kamra

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