



CRM-M-21026-2025

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

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Date of decision : 28.04.2025

Ashish

... Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. M.K. Panchal, Advocate for the petitioner.

Ms. Ramta Choudhary, DAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been preferred by the petitioner, under Section 483 of BNSS, 2023 for grant of regular bail in FIR No.349, dated 10.08.2024, registered under Sections 307, 115 (II), 351 (III), 3(V) of BNS, 2023 (Sections 238, 317(2), 309(6), 61(2) of BNS, 2023 added later on), at Police Station Zirakpur, District SAS Nagar.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and there is nothing on record to connect the petitioner with the alleged occurrence. He further submits that no recovery has been effected from him and the requisite TIP (Test Identification Parade) was not carried out in accordance with law. He further submits that the petitioner is in custody since 11.08.2024; he is not involved in any other criminal case and prays that he be released on bail. He also submits that co-



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accused, namely, Deepika has been granted the concession of regular bail by the Coordinate Bench of this Court in CRM-M-8129-2025 on 18.02.2025.

3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in Court which indicates that the petitioner is in custody for 08 months and 12 days as on 26.04.2025. Learned State counsel upon instructions submits that the charges have been framed against the petitioner and total 17 prosecution witnesses have been cited.

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

5. In view of the above and keeping in view the fact that the petitioner is in custody for over 08 months; he is not involved in any other criminal case; co-accused has been granted bail; since the trial is yet to commence and the same is likely to take time, continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, I deem it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.



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7. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

(H.S.GREWAL)
JUDGE

28.04.2025
A.Kaundal

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