



CRM-M-52886 of 2025

-1-

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

234

CRM-M-52886 of 2025
Date of Decision: 24.09.2025

Naveen alias Chhaila

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Baljeet Nain, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.221 dated 22.07.2024 registered under Sections 115, 190, 191(3), 304, 324(4), 333 and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (Sections 115, 190, 191(3), 304 of BNS were deleted and Sections 111(2)(b), 111(3), 115(2), 309(4) and 61(2) of BNS were added), at Police Station Narwana Sadar, District Jind.

2. The case was registered on the statement of one Karambir Nain, who stated that the petitioner along with other 18/20 boys, all armed with sticks, trespassed into his liquor shop at village Dhakal. Money was snatched from salesman Vikas after causing him injuries and after damaging the articles lying in the shop, all the accused fled from the spot.



CRM-M-52886 of 2025

-2-

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the offence in question. He further contends that neither the petitioner was present at the spot nor was named in the FIR. He submits that a compromise has been effected between the complainant and all the accused. The petitioner is in custody since 18.03.2025. The investigation in this case is complete and challan also stands presented. Further, co-accused Gurmeet Singh, Naveen Kumar, Ajay alias Dhola, and Vikash have already been granted the concession of regular bail by this Court, vide orders dated 21.08.2025, 25.08.2025 and 04.09.2025, respectively. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, has filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. He further submitted that he is not aware about compromise if any between the parties. He has further submitted that the petitioner is involved in one more case meaning thereby he is a habitual offender.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 06 months; investigation is complete; challan stands presented, and the fact that the trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody,



CRM-M-52886 of 2025

-3-

especially when a compromise has been effected between the parties. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

7. Reliance is placed upon in ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

8. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

**CRM-M-52886 of 2025****-4-**

9. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

24.09.2025*D.Bansal*

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