



CRM M-326-2025 (O&M) [1]

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

**CRM M-326-2025 (O&M)
Date of Decision: 16.01.2025**

Harsh Kumar @ Bogi

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr.Naveen Siwach, Advocate for the petitioner.
Mr. Amit Aggarwal, DAG, Punjab.

HARKESH MANUJA, J. (ORAL)

By way of present second petition filed under Section 483 of BNSS, 2023, prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.411 dated 31.07.2023 under Sections 364-A, 384, 506, 34, 120-B IPC, registered at Police Station Fatehabad, District Fatehabad, whereby the petitioner has been implicated with the allegation of demanding Rs.1 lakh for allowing the complainant to run fruit rehri in Hans market by having abducted him alongwith his friend Sandeep.

2. Learned counsel for the petitioner submits that the petitioner is in custody for the last more than 10 months; trial is likely to take some time to conclude as out of total 23 prosecution witnesses, only 02 i.e. complainant and eye-witness have been examined and both of them have turned hostile and, thus he deserves the concession of bail.

3. On the other hand, the prayer made on behalf of the petitioner has been opposed by learned State counsel while referring to the antecedents of the petitioner having involved in one more case of similar nature and thus he does not deserve the concession of bail.

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4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.

5. In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges and out of 23 prosecution witnesses, only 02 main witnesses i.e. complainant as well as eye-witness Sandeep have been examined as PW1 and PW2 and even they have not supported the prosecution version. The petitioner is in custody for the last more than 10 months, in such circumstances, considering the fact that the trial is likely to take some time, I do not find any justification to extend the incarceration of the petitioner.

6. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/ surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. Pending miscellaneous application(s), if any, shall also stand disposed of.

16.01.2025
sanjay

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned ?	Yes/No
Whether Reportable ?	Yes/No