



CRM-M-42199 of 2025

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

220

CRM-M-42199 of 2025
Date of Decision: 25.08.2025

Ajay alias Dhola

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

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

Mr. Mohit Chaudhary, AAG, Haryana.

Mr. Jaswinder Singh, Advocate
for the complainant.

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(2), 61(2), 309(4), 333, 324(4), 351(2), 111(2)(ii) and 113(3) of BNS, at Police Station Narwana Sadar, District Jind.
2. At the outset, learned counsel for the petitioner submits that inadvertently due to typographical error, instead of Section 111(3) of BNS, Section 113(3) of BNS has been typed in the entire petition. He further prayed that the same be read as Section 111(3) of BNS.
3. Ordered accordingly. Registry to do the needful.

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4. The case was registered on the statement of one Karambir Nain-complainant, 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.

5. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He was nominated as an accused on the basis of disclosure statement made by co-accused Gurmeet. No recovery was effected from him. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. The petitioner is behind bars since 28.10.2024. The investigation in the case is complete and final report under Section 193 BNSS has since been submitted. He further states that the trial may take long time as till date, even charges have not been framed. He has also submitted that with the intervention of the members of the society and relations, the parties have decided to bury their past disputes and they wish to maintain good relations in future. He has further submitted that after the amicable settlement, co-accused Gurmeet Singh has already been granted the concession of regular bail by this Court in CRM-M-10679-2025, vide order dated 21.08.2025.

6. Notice of motion.

7. Learned State counsel, who has appeared on advance notice of the petition, filed custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for grant of bail on the ground that the allegations levelled against the petitioner are serious in

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nature. He further submitted that he is not aware about compromise if any between the parties. However, he has duly acknowledged the factum of custody that the petitioner is in custody for more than 09 months.

8. At this stage, learned counsel for the complainant does not dispute the factum of compromise and supports the prayer for bail.

9. Having heard learned counsel for the parties at length and after perusing the record of the case, it is found that the petitioner is in custody for the last more than 09 months and the trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody 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.

10. 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

25.08.2025*D.Bansal*

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