



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

(227)

CRM-M-37889-2026(O&M)
Date of Decision: **20.07.2026**

SAHIL @ BHIMA @ BALAD

... Petitioner

Versus

STATE OF HARYANA

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Ms. Gagandeep Kaur, Advocate
for the petitioner.

Mr. Karan Veer Singh, Sr. DAG, Haryana.

-.-

VIRINDER AGGARWAL, J. (Oral)

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973) seeking the concession of regular bail in FIR No. 418 dated 18.05.2021 (Annexure P-1), registered under Sections 307 and 34 of the Indian Penal Code, 1860 (corresponding to Sections 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023) and Sections 25, 54 and 59 of the Arms Act, 1959, at Police Station Kharkhoda, District Sonipat, Haryana.

2. Briefly stated, the prosecution case emanates from an alleged incident of road rage that occurred on 18.05.2021. As per the prosecution, the complainant, Monu, son of Devi Singh, was travelling in a Santro car along with his helper, Paramjeet, when an altercation allegedly ensued

with the occupants of a Celerio car over the right of passage on the road. It is alleged that shortly thereafter, near the Farmana–Sonipat Road, two occupants of the Celerio car alighted from the vehicle and indiscriminately opened fire upon the complainant. Although the complainant escaped unhurt, one of the bullets allegedly struck Ravi, a bystander who happened to be present at the spot. On the basis of the aforesaid allegations, the present FIR came to be registered and the investigation was set into motion.

3. The custody certificate produced by the learned State counsel is taken on record, subject to all just exceptions.

4. I have heard learned counsel for the respective parties at considerable length and have carefully examined the paper book as well as the material placed on record with their able assistance.

5. Having bestowed my thoughtful consideration to the rival submissions and upon a careful examination of the material available on record, this Court finds that the petitioner has remained in judicial custody since 16.12.2021 and has thus undergone more than four years and seven months of pre-trial incarceration. It is not disputed that the petitioner came to be implicated during the course of investigation primarily on the basis of a disclosure statement. Significantly, no specific injury has been attributed to the petitioner and the principal prosecution witnesses examined thus far have not supported the prosecution case qua his alleged involvement. The trial is still at the stage of prosecution evidence and has not made substantial progress.

5.1. The constitutional guarantee of a speedy trial, flowing from Article 21 of the Constitution of India, cannot be rendered illusory by subjecting an undertrial to prolonged and indefinite incarceration. In the facts and circumstances of the present case, particularly considering the nature of the allegations, the period of custody already undergone, the evidentiary material presently available on record, and the fact that the trial is not likely to conclude in the foreseeable future, this Court is of the considered opinion that no useful purpose would be served by further detaining the petitioner pending trial.

5.2. Consequently, without expressing any opinion on the merits of the case, lest it may prejudice either side during the course of trial, the present petition is **allowed**. The petitioner is ordered to be released on regular bail, subject to his furnishing requisite bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate concerned, as the case may be, and further subject to the following conditions:-

- i. The petitioner(s) shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts before the Court or to the Investigating Agency.
- ii. The petitioner(s) shall not tamper with the prosecution evidence in any manner whatsoever, nor shall the petitioner(s), directly or indirectly, attempt to influence, intimidate, or contact any prosecution witness.
- iii. The petitioner(s) shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court.

In the event any of the petitioner(s) is in possession of a passport, the particulars thereof shall be furnished before the Investigating Officer as well as the learned Trial Court.

- iv. Before accepting the bail and surety bonds, the learned Illaqa Magistrate/Duty Magistrate/C.J.M. concerned shall obtain from the petitioner(s) the permanent residential address as well as the present correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours of the acceptance of the bail bonds and place a verification report on record. In the event any of the addresses is found to be false, fictitious, or incorrect, it shall be open to the prosecution to seek cancellation of the concession of bail in accordance with law.
- v. The petitioner(s) shall furnish before the learned Trial Court, either at the time of furnishing the bail bonds or within such period as may be specified by the Court, the Permanent Account Number (PAN), Aadhaar Number, particulars of all operative bank accounts, and a declaration disclosing details of immovable properties, if any. Any concealment of material particulars or furnishing of false information shall constitute a valid ground for seeking cancellation of the concession of bail in accordance with law.
- vi. The petitioner(s) shall intimate the Investigating Officer as well as the learned Trial Court, in writing, of any change in residential address or mobile number within seven days of such change.
- vii. The petitioner(s) shall not commit any offence of a similar nature during the pendency of the trial and shall remain present before the learned Trial Court on each and every date fixed, unless personal appearance is exempted in accordance with law. The petitioner(s)

shall not absent from the proceedings without obtaining prior permission of the learned Trial Court. In the event of violation of any of the aforesaid conditions or unauthorized absence from the trial proceedings, it shall be open to the learned Trial Court to proceed in accordance with law, including cancellation of the concession of bail and issuance of appropriate coercive process, including warrants of arrest.

7. Consequent upon the final adjudication of the principal matter, all pending miscellaneous applications whether arising out of or ancillary to the present proceedings shall stand disposed of *in tandem*. Inasmuch as the substantive rights of the parties have been definitively determined, the reliefs sought in the said interlocutory applications are rendered entirely infructuous, obviating the necessity for any separate or further judicial orders.

20.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No