



CRM-M-53033-2025

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

110+215

**CRM-M-53033-2025
Decided on : 05.12.2025**

Sachin

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Vikas P.Singh, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana
for the respondent-State.

Mr. Rajesh Dhiman, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)**CRM-49264-2025**

Through this application, prayer has been made to place on record copy of the order dated 01.10.2025 vide which co-accused Manoj has been granted bail by the learned trial Court and the copies of compromise deed and affidavits of complainant party.

Application is allowed as prayed for subject to all just exceptions.

Documents Annexures P-2 to P-7 are taken on record.

CRM-M-53033-2025

1. Prayer in the instant petition filed under Section 483 of the



Bharatiya Nagrik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.221 dated 06.07.2025, registered under Sections 190, 191 (2), 326(g) and 333 of BNS, 2023, at Police Station Tosham, Bhiwani.

2. Brief facts as per the prosecution case are that on 06.07.2025, petitioner alongwith co-accused persons entered the house of complainant and set on fire his house and valuable articles. They also committed theft of cash amount and jewellery and extended threats to the complainant party to kill them.

3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present FIR. He further contends that he has no concern with the alleged offence. Learned counsel contends that the issue in the present case is that the brother of the complainant is in a live-in-relationship with a girl of different religion, therefore, some miscreants set the house of the complainant on fire. He further contends that no specific role has been attributed to the petitioner. It is further submitted that the matter has been compromised between the parties and the compromise deed as well as affidavits of the complainant party affirming the factum of the compromise have been annexed as Annexures P-3 to P-7. He further contends that co-accused Manoj has already been granted the concession of regular bail by the Court of Additional Sessions Judge, Bhiwani vide order dated 01.10.2025. The petitioner is in custody since 10.07.2025 and he has clean antecedents. Nothing is to be recovered from him. After completion of investigation, challan has been presented and charges are yet to be framed. He further submits that trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.



4. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. Status report has already been filed. He has vehemently opposed the prayer for bail by submitting that the offence committed by the petitioner is serious in nature. He submits that he is not aware of any compromise effected between the parties. However, he has not controverted the fact that the petitioner is the first time offender as he is not involved in any other case.

5. Learned counsel for the complainant has appeared today in court and filed his power of attorney, which is taken on record. He does not dispute the factum of compromise and has not opposed the prayer for grant of regular bail to the petitioner.

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 04 months and 19 days; co-accused Manoj has already been granted the concession of regular bail; challan has been presented and charges are yet to be framed and the trial will take a long time to conclude. Thus, further custody of the petitioner will not serve any useful purpose especially when a compromise has been effected between the parties. His 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 a judgment in the case of ***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 his right to life and liberty, as enshrined under Article 21 of Constitution of India is against



CRM-M-53033-2025 4

the principle “bail is a rule” and “jail is an exception”.

8. Without commenting on the merits of the case and keeping in view the aforesaid facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

9. All other pending applications, if any, are also disposed of accordingly.

05.12.2025
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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