

CRM-M-3195-2026
Date of decision: 16.04.2026

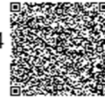
...PETITIONER

...RESPONDENT

Mr. Aditya Pal Singla, AAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner is seeking regular bail in case bearing FIR No.201 dated 21.07.2018 registered under Sections 148, 149, 323, 325, 452, 506, 379-B and 120-B of Indian Penal Code, 1860 (for short 'IPC') at Police Station Khol Rewari, Haryana.
2. Briefly stated, complainant Dharmender moved a complaint to the effect that on 21.07.2018 at about 3:00 AM, 15-20 unknown persons armed with hockey wickets, swords and knife entered into his house, caused injuries to the complainant, his father and wife. The accused persons took away mobile phone of the complainant, and snatched gold chain and some money from his wife. The complainant also stated that they had some land dispute with one Rajender and his brother Uday Pal, due to which, the incident took place. Hence, the FIR was registered. The petitioner has been nominated in the present case on the basis of disclosure statement made by co-accused.

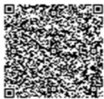


3. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case; the petitioner has not been named in the FIR and has been involved solely on the basis of disclosure statement made by co-accused, which is inadmissible in evidence; except the disclosure statement, there is nothing on record to prove the complicity of the petitioner; nothing has been recovered from the conscious possession of the petitioner; all the injuries in the present case are simple in nature and have been caused with a blunt weapon; petitioner is in custody for the last more than 10 months; investigation has already been completed; challan has been filed; charges are yet to be framed; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period. As such, learned counsel prayed for grant of regular bail to the petitioner.

4. Learned State counsel placed on record the custody certificate of the petitioner, which is taken on record. He opposed the prayer made by the petitioner and on instructions from ASI Vibhuranjan, submitted that the petitioner is a habitual offender as he is involved in 09 other criminal cases and if the petitioner is released on bail, he will certainly indulge into illegal activities. However, learned State counsel fairly admitted that all the injuries in the present case are simple in nature and caused with blunt weapon.

5. Heard.

6. Keeping in view the facts and circumstances of the present case and the contentions raised by learned counsel for the parties, without commenting on merit of the case as offences are triable by Judicial Magistrate Ist Class; petitioner is in custody for the last more than 10 months;



investigation has already been completed; challan has been presented; charges are yet to be framed; the trial of the case will take sufficient time to conclude, therefore, no fruitful purpose would be served by keeping the petitioner in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both the parties and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, the instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

April 16, 2026
manisha

(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No