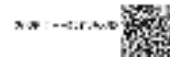


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CRM-M-3400-2026

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-3400-2026

Date of decision: 18.02.2026

NIKHIL

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Hamid Hussain, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG Haryana.

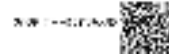
.....

RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.166 dated 14.09.2025 registered under Sections 109(1), 190, 3(5), 308(5), 61(2), 351(3), 111(2), 111(4), 111(5), 238(13) of the Bharatiya Nyaya Sanhita, 2023 and Section 25(6), 25(7) of the Arms Act at Police Station Sadhaura, District Yamuna Nagar.

2. Brief facts of the present case, as per the prosecution, are that the petitioner being part of a gang demanded ransom from one Neeraj Kumar (son of the complainant) and on failing to pay the ransom money the petitioner along with other co-accused person fired gunshots at the house of the complainant. Hence, the present FIR.

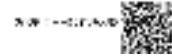
3. Learned counsel for the petitioner contends that the petitioner



petitioner was not named in the FIR. It has also been contended that no specific role has been attributed to the petitioner. No recovery is to be effected from him. He submits that the petitioner has clean antecedents as he is not involved in any other case. The petitioner is in custody since 09.10.2025. The investigation in the case is complete; challan stands presented; however, 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 him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the status report and custody certificate of the petitioner, which is taken on record. She has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature as he dropped the accused person in his car and arranged his stay who had fired gunshots at the complainant's house. However, she could not controvert the fact that the petitioner has been implicated on the basis of disclosure statement of the co-accused Aditya Thapar and that the petitioner is a first time offender as he is not involved in any other case.

5. 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 more than 04 months; investigation is complete; challans stands presented; however, charges are yet to be framed and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody. Keeping the petitioner in



near future would be violative of his rights under Article 21 of the Constitution of India.

6. 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 her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. 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.

18.02.2026

puneet

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

(RUPINDERJIT CHAHAL)
JUDGE