



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

135-1 **CRM-M-3364-2025**

SANDEEP SODA @ LUCKY ... Petitioner

VERSUS

STATE OF HARYANA ... Respondent

A N D

135-2 **CRM-M-28995-2025**
Date of Decision: 24.03.2026

AKASH KUMAR @ GUDDU ... Petitioner

VERSUS

STATE OF HARYANA ... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. G.S. Dhillon and Ms. Garima Thappa,
Advocates for the petitioner in CRM-M-3364-2025.
Mr. Sandeep Singh Jattan and Ms. Sandeep Kaur,
Advocates for the petitioner in CRM-M-28995-2025.
Dr. (Ms.) Malvika Singh, DAG, Haryana.
Mr. Ashit Malik, Sr. Advocate with Mr. Abhinav
Kansal, Advocate for the complainant.

H.S. GREWAL, J. (ORAL)

Both these petitions are being decided by a common order since they
arise out of the same FIR.

2. By way of filing the present petitions under Section 483 Bharatiya
Nagrik Suraksha Sanhita, 2023, the petitioners have sought regular bail in case FIR

No.50 dated 16.02.2021 under Sections 148, 149, 302, 307, 323, 324, 452 and 506 of IPC (Section 326 IPC added later on) registered at Police Station Baldev Nagar, District Ambala.

2. The case of the prosecution is that on 16.02.2021 at about 06:30/07:00 PM, an altercation took place between the complainant party and accused persons, which was converted into lethal fight amongst them. In this occurrence, Arun @ Anu, who was brother of the complainant, had succumbed to the injuries. The role attributed to the present petitioners is that they caused several injuries to the deceased, the complainant as well as their father with their respective weapons.

3. Learned Counsel for the petitioners contend that the allegations against the petitioner are false and fictitious. They further submit that petitioner Sandeep Soda @ Lucky has been attributed an injury to the deceased, however, the said injury has been declared simple in nature and was not the ultimate cause of death. They further submit that similar is the case of petitioner Akash Kumar @ Guddu, who has been attributed a grievous hurt, but the said injury was sustained by the complainant and not by the deceased. They further submit that apart from the above, petitioners are in custody for the last more than 05 years and out of 33 witnesses, only 01 has been partly examined so far. As such, the trial is likely to take a long time to conclude.

4. On the other hand, learned State Counsel assisted by Mr. Ashit Malik, Sr. Advocate for the complainant vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the petitioner in the commission of the alleged offence are very serious in nature and the petitioner has actively participated in the alleged offence because the petitioner in connivance with other co-accused persons had intentionally attacked the complainant party with

ulterior motive of causing serious injuries. Therefore, the petitioners do not deserve the concession of bail. Hence, they pray for dismissal of the present petition. Custody certificates produced by the State Counsel is taken on record.

5. I have heard learned counsel for the parties and perused the record.

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioners are in custody for last more than 05 years coupled with the fact that the trial of the case is likely take a long time to conclude as well as the fact that the lethal injuries have not been attributed to the petitioners, this Court is of the opinion that the petitions in hand deserve to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioners would not serve the ends of justice, therefore, they are entitled to regular bail during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petitions are allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. It is clarified that if while on bail so granted through the instant order, the petitioners are found indulging in any other criminal case/activity, it shall be open to the State to seek cancellation of their bail.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

MARCH 24, 2026.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No