



CRM-M-6844 of 2026

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

237

CRM-M-6844 of 2026
Date of Decision: 27.02.2026

Manoj

...Petitioner

Versus

State of Haryana and another

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Rakesh Kumar Lathwal, Advocate
for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

None for respondent No.2.

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.351 dated 28.08.2025 registered under Sections 310(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 25 of the Arms Act, at Police Station Gohana City, District Sonipat.

2. Brief facts of the present case are that the petitioner along with co-accused, took a car from the complainant's firm on rent. Later, when the complainant aksed about the car and rent, co-accused Arman and Ashish assured him that they will deliver the rented car and pay the due rent in the complainant's office. However, later the petitioner along with co-accused, armed with deadly weapons, threatened the complainant and snatched his

**CRM-M-6844 of 2026****-2-**

other car as well. Hence, the present FIR.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He further submitted that the petitioner was neither named in the FIR, nor was present on the spot at the time of commission of offence. It has also been contended that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by one co-accused Amit @ Mita. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. Further, co-accused Amit @ Meeta, Aman and Mohit have already been granted the concession of regular bail by this Court, vide order dated 19.11.2025. No recovery is to be effected from the petitioner. The petitioner is in custody since 18.10.2025. He further submitted that the 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. On the other hand, learned State counsel has filed the custody certificate of the petitioner as well as the status report in the matter, which are taken on record and while referring to the status report, she has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. She has further submitted that the petitioner is involved in multiple other cases of similar nature meaning thereby he is a habitual offender.

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



CRM-M-6844 of 2026

-3-

for the last more than 04 months; the complicity of the petitioner is a matter of trial and the same will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued 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.

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 his 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. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged

**CRM-M-6844 of 2026****-4-**

and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

8. 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.

(RUPINDERJIT CHAHAL)
JUDGE

27.02.2026*D.Bansal*

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