



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

(236)

**CRM-M-9294-2026(O&M)
DATE OF DECISION:20.05.2026**

Chanderpal

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Surinder Dagar, Advocate, for the petitioner.
Mr. Surender Singh Pannu, Addl. AG, Haryana.

SUBHAS MEHLA, J (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (in short 'BNSS, 2023') for grant of regular bail to the petitioner in case bearing FIR No.266 dated 26.09.2025 under Sections 115, 190, 191(3), 308(2), 353(3) and 110 of the BNS, 2023, registered at Police Station Hathin, District Palwal.

2. The allegations against the petitioner are that he along with co-accused attacked the complainant and inflicted multiple injuries upon him resulting into multiple fractures on his hands and legs.

3. Learned counsel for the petitioner prays for grant of regular bail to the petitioner on the following grounds:

- i. That the petitioner is in custody since 07.10.2025, i.e. for more than 07 months;
- ii. That his name is not mentioned in the FIR;
- iii. That he was involved in the present case solely on the basis of disclosure statement;
- iv. Neither any specific injury is attributed to the petitioner nor the victim named him; however, in



disclosure statement it is mentioned that in the alleged occurrence, he was armed with hammer and gave a hammer blow on thigh of the complainant i.e on non vital part of body;

v. That the petitioner is having clean and clear antecedents and not involved in any other case, and

vi. That witnesses are not appearing for their deposition before the learned trial Court. Copies of zimni orders passed by learned trial Court regarding the absence of witnesses have been provided and same are taken on record.

4. On the other hand, Mr. Surender Singh Pannu, Addl. AG, Haryana, appears on behalf of respondent/State and files custody certificate dated 18.05.2026 of the petitioner and same is taken on record. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the following grounds:

i. That the present petitioner actively participated in the occurrence and inflicted seven injuries upon the complainant with hammer, which was recovered from the petitioner;

ii. That out of seven inflicted injuries, four are grievous in nature and the alleged incident is also captured in CCTV footage;

ii. That challan has been presented, charges have been framed and only one witness has been examined by the prosecution.

5. Heard.

6. Taking into consideration the contentions of the learned counsel for the petitioner as well as learned State counsel and the totality of the



CRM-M-9294-2026(O&M) 3

circumstances of the case, this Court is of the considered view that concession of bail cannot be denied just as measure of punishment, as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception. Accordingly, this Court deems it a fit case to grant the concession of regular bail to the petitioner on the following aspects:

- i. That the petitioner is in custody since 07.10.2025 i.e for the last seven months and twelve days;
- ii. That the petitioner is having clean and clear antecedents and is not involved in any other case;
- iii. That the case is fixed for prosecution evidence and material witnesses are not appearing as per zimni orders placed on record;
- iv. That trial will take sufficient time to conclude and
- v. That no fruitful purpose would be served by keeping the petitioner behind the bars.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is **allowed**. 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.

8. All pending misc. applications, if any, be also disposed of.

20.05.2026
mamta

(SUBHAS MEHLA)
JUDGE

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