



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

CRM-M-9164-2026

Date of decision: 24.03.2026

SANJAY SHARMA

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Akshay Jindal, Sr. Advocate with
Mr. Ankit Singla, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

Mr. Vikram Pundir, Advocate
For the complainant.

.....

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.237 dated 11.09.2025 registered under Sections 351(3), 333, 191(3), 190, 117(2), 115 of Bharatiya Nyaya Sanhita, 2023 (Section 109(1) and 115(2) BNS added later on) at Police Station Mundkati, District Palwal, Haryana.

2. Brief facts of the case of prosecution are that the petitioner along with other co-accused attacked the complainant party and inflicted injuries upon the complainant Ravinder, Naresh and Raghunandan, with

an intention to kill. Hence the present FIR.



3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and the petitioner has been falsely roped in without any incriminating evidence. He submits that even if the prosecution version is taken to be true, then also, no life threatening injury has been attributed to the present petitioner. He submits that Naresh was admitted to hospital on 08.09.2025 and was discharged on 10.09.2025, that too at his own request, and this brief duration of hospitalisation and voluntary discharge clearly indicate that injuries were neither life threatening nor grievous. He further submits that The MLR clearly establishes that abrasions and swellings noted on the limbs are, by their very nature, superficial and simple in nature. Thus, even if prosecution version is taken at its highest, the injuries attributed to the petitioner are simple in nature. He further submits that the petitioner is in custody since 17.09.2025 and he has clean antecedents as he is not involved in any other case. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submits that there are total 15 prosecution witness and none has been examined till date and as such, 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. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, has filed the custody certificate of the petitioner and also filed reply, which are 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. However, she could not controvert the fact that the petitioner has clean antecedents as he is not involved in any other case and that the injuries attributed to the present petitioner are declared simple in nature.

6. Learned counsel for the complainant submits that the petitioner has actively participated in the crime and does not deserve any concession from this Court. Hence, he prays that the present petition be dismissed.

7. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the injuries attributed to the petitioner are simple in nature, he is in custody for the last more than 6 months; investigation is complete; challan stands presented, charges framed; out of 15 prosecution witnesses none have been examined, and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining the petitioner 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.

8. 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



9. 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.

24.03.2026*Puneet....*

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

(RUPINDERJIT CHAHAL)
JUDGE