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2026:PHHC:042281



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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Abhishek @ Sonu
.....Petitioner
Versus
State of Haryana
.....Respondent

Date of Decision: March 18, 2026
Date of Uploading: March 18, 2026

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL
Present:- Ms. Gagandeep Kaur, Advocate for the petitioner.
Ms. Priyanka Sadar Thakur, Senior DAG Haryana.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the BNSS, 2023 (Section 439 of the Cr. P.C.) seeking grant of regular bail to the petitioner, in case bearing FIR No.274 dated 04.09.2025, registered for the offences punishable under Sections 55, 61(2), 3(5) of the BNS, 2023 (corresponding Sections 115, 120-B, 34 IPC) (Section 25(1-B)(a) of the Arms Act added lateron), at Police Station Sadar Jhajjar, District Jhajjar.

2. The gravamen of the allegations against the petitioner is that complainant, namely, Rohit alleged that on 28.08.2025, while traveling near Jhajjar, a GPS device was found to have fallen from Rohit’s vehicle and got damaged. Upon checking CCTV footage from Rajeet’s office, Rohit discovered that Suresh was engaging him in conversation while Sonu (*petitioner herein*) allegedly installed the GPS device in his car. Subsequently, on 31.08.2025, complainant received calls and messages indicating that his CCTV footage and

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related data had been accessed. When he objected, he was allegedly threatened with death.

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 07.09.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the petitioner had a business rivalry with the FIR-complainant. Learned counsel has further argued that assuming *arguendo*, the prosecution version is taken to be correct, role ascribed to the petitioner is of having installed a GPS in the motor vehicle of the FIR-complainant. Learned counsel for the petitioner has argued that the petitioner has suffered incarceration for more than 6 months. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record the custody certificate dated 17.03.2026, in the Court today, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 07.09.2025, whereinafter, investigation was carried out and the challan was presented on 04.11.2025. It is not in dispute before this Court that total 23 prosecution witnesses have been cited, out of which none has been examined till date. It is thus, indubitable, that conclusion of the trial will take long. The rival contentions raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has

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been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per the custody certificate filed by learned State counsel, the petitioner has already suffered incarceration for a period of 06 months and 09 days.

6.2. Further, as per the said custody certificate, the petitioner is stated to be involved in other FIR(s). However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in CRM-M No.38822-2022 titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the factual milieu of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail, if not required in any other case, on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.

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- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

March 18, 2026

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No