



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.265

CRM-M-12622-2026
Decided on : 25.03.2026

Sahil @ Nannu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Arpandeeep Narula, Advocate
for the petitioner.

Mr. Armaan Dahiya, AAG, Haryana
for the respondent-State.

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.556 dated 30.10.2025, registered under Sections 115, 118(1), 190, 191(2), 191(3), 351(2) of the BNS, 2023 (Section 117(2) of the BNS, 2023 added later), at Police Station Civil Lines, District Sirsa.
2. Brief facts as per the prosecution case are that the petitioner alongwith co-accused armed with sword and *dattar* caused several injuries to the complainant and also inflicted kick and fist blows to him. Hence the present FIR.
3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further



contends that the petitioner has no concern with the said offence. He further contends that no specific injury has been attributed to the petitioner. Learned counsel contends that the alleged incident occurred on 29.10.2025 whereas the FIR in question was registered on 30.10.2025 i.e. after an unexplained delay of 01 day, casting a serious doubt on the prosecution story. Learned counsel contends that the allegations as alleged in the FIR is that the petitioner alongwith co-accused attacked the complainant to restrain him from recording his deposition in the case of his father, however, the petitioner is not an accused in the said case. Learned counsel submits that co-accused Gursimran Singh has already been granted the concession of interim bail by a Coordinate Bench of this Court vide order dated 10.02.2026, passed in CRM-M-2584-2026. The petitioner is in custody since 28.11.2025. The investigation in the case is complete and the challan has been presented, however, charges are yet to be framed. He further contends that the trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner 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 which is taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. He further submits that the petitioner is involved in multiple other cases meaning thereby he is an 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 for the last more than 03 months and 27 days; investigation is complete; challan stands presented; charges are yet to be framed; co-accused



Gursimran Singh has already been granted the concession of interim bail by a Coordinate Bench of this Court and the fact that the 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.

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 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 "jail is an exception".

8. As regards the submission of learned State counsel that petitioner is involved in other/another 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 and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."



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7. 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.

25.03.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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