

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026 PHHC 080238



CRM-M-12109-2026 (O&M)

Date of Decision: 21.05.2026

AJAY NAGAR

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. R.K.Lathwal, Advocate for the petitioner.

Dr. Malvika Singh, D.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) (439 Cr.P.C.) in FIR No.326 dated 27.10.2025, under Sections 109 (1), 126 (2), 117 (2) of Bharatiya Nyaya Sanhita (BNS) Act, 2023, (Corresponding Sections 307, 341, 325 of Indian Penal Code-1860), registered at Police Station Civil Line, District Sonapat (Haryana).

2. The case of the prosecution is that on 26.10.2025, the complainant had gone to attend his friend's birthday party. During late night, while returning home on foot near the bus stand, close to his street, the petitioner allegedly stopped him on a motorcycle, abused and punched him with *kada* like weapon, causing him to fall down. It was further alleged that the accused drove his motorcycle over the complainant's neck, returned to check whether he was dead, kicked him, and fled from the spot.

3. Learned counsel for the petitioner submits that the petitioner is

innocent and has been falsely implicated in the present case. He further submits

that the petitioner is in custody for the last 06 months and 23 days and is not involved in any other case. He, thus, prays for grant of bail to the petitioner.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. She further submits that as per the custody certificate, the petitioner is in custody for the last 06 months and 23 days.

5. I have heard the learned counsel for the parties and perused the record.

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that petitioner is in custody for the last 06 months and 23 days; he is not involved in any other case; charges have been framed and trial is yet to commence and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *'bail is rule and jail is exception'*.

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 bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

(H.S.GREWAL)
JUDGE

21.05.2026
Janki

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