



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

CRM-M-12363-2026

Date of decision: 06.04.2026

ALOK

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. J.S. Cooner, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG Haryana.

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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.0210 dated 29.07.2025 registered under Sections 309(4) of Bharatiya Nyaya Sanhita, 2023 (Sections 310(2), 311, 238 BNS added later on) at Police Station Baldev Nagar, District Ambala.

2. Brief facts of the case of prosecution are that the petitioner along with other co-accused persons attacked the complainant and his friend and inflicted injuries upon them with deadly weapons and snatched mobile, motorcycle and ₹5000-₹6000/- and fled away from the spot. 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 the petitioner was neither named in the FIR nor was present at the spot as initially the FIR was registered against unknown persons. He further 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. No recovery is to be effected from him. He further submits that the petitioner is in custody since 31.07.2025 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 20 prosecution witness and only 01 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. Learned State counsel has filed the status report and custody certificate of the petitioner 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.

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 08 months; investigation is complete; challan stands presented, charges framed; out of 20 prosecution witnesses only one has 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.

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*".

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.

06.04.2026

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

(RUPINDERJIT CHAHAL)
JUDGE