



CRM-M-15289 of 2026 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-15289 of 2026 (O&M)
Date of Decision: 29.04.2026

Rohit Mangla

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Abhinav Sood, Advocate
for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

Mr. Amandeep Vashisth, Advocate and
Ms. Tarranum Madan, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

CRM-17108-2026

This application has been filed for placing on record the copy of
order dated 04.10.2025 passed by JMIC, Faridabad (Annexure P-10).

Application is allowed, as prayed for.

Main Case

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.307 dated 02.10.2025 registered under Sections 115, 126, 190 and 191(3) of the Bharatiya Nyaya Sanhita, 2023 (Subsequently Sections 115(2), 126(2), 299, 117(2), 351(3), 109(1) and 3(5)

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of BNS was added later on), at Police Station Saran, District Faridabad.

2. Brief facts as per the case of the prosecution are that the petitioner along with other co-accused, attacked one Karanpreet Singh @ Raja (son of the complainant) and caused serious injuries to him using sticks. Hence, the present FIR.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He further submitted that the complainant was not the eye-witness of the occurrence and the petitioner was roped in the FIR only on the basis of suspicion without any concrete evidence. He further argued that even if the contents of the FIR are taken to be true, then also the injury attributed to the petitioner is stated to be simple in nature and thus, bald and frivolous allegations have been levelled against the petitioner. He further argued that the entire story is based on suspicion and hearsay. He further argued that Section 109 of BNS has been added by the prosecution only to make the offence graver. Moreover, the petitioner has clean antecedents as he is not involved in any other case and nothing is to be recovered from him. The petitioner is in custody since 30.11.2025. The investigation in the case is complete and challan also stands presented. He further submitted that 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. On the other hand, learned State counsel has filed the custody certificate of the petitioner and status report in the matter, which are taken on record and while referring to the status report, she has vehemently

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opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, she has not controverted the fact that the petitioner is a first time offender as he is not involved in any other case.

5. Leaned counsel for the complainant, while opposing the prayer for grant of regular bail to the petitioner, has contended that the petitioner has played an active role in the crime and, thus, does not deserve the concession of bail.

6. 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 04 months; he has clean antecedents; investigation in the FIR is complete; challan stands presented; the complicity of the petitioner is a matter of trial, and will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

7. 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 the 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 his 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*".



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8. 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.

(RUPINDERJIT CHAHAL)
JUDGE

29.04.2026

D.Bansal

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