

**213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2026.PHHC.054510



CRM-M-17438-2026 (O&M)

Date of Decision: 08.04.2026

NIKHIL @ NEETU

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

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

Present:- Mr. Hemant Bassi, Senior Advocate with
Mr. Amarsh Dudeja, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (439 Cr.P.C.) in FIR No.556 dated 23.12.2024 registered under Section 25 of Arms Act, 103(1), 111(2)(a), 111(3), 111(4), 111(5), 111(6) and 61 of BNS (Section 302, 120-B IPC) at Police Station Pinjore, District Panchkula, Haryana.

2. The case of the prosecution is that on 23.12.2024 at 02.40 AM, in the area of Sultanat Hotel Burjkotia District Panchkula, 2-3 unknown boys came in a car, opened indiscriminate firing and caused the death of Vineet @ Vicky, Tirth and Vandana @ Niya. The incident is stated to be gang-driven. On the basis of disclosure statement, details of bank account allegedly belonging to the petitioner were obtained and it was found that the petitioner had transferred Rs. 46,000/- to the co-accused.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The petitioner is not named in the FIR. The name of petitioner has emerged only on the

basis of the disclosure statement of the co-accused made in custody. He further submits that the petitioner is in custody for the last 01 year, 02 months and 24 days and is not involved in any other case. He, thus, prays for grant of bail to the petitioner.

4. Notice of motion.

5. Mr. Rakesh Kumar Jangra, A.A.G., Haryana accepts notice on behalf of the State and vehemently opposed 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. He further submits that as per the custody certificate, the petitioner is in custody for the last 01 year, 02 months and 24 days.

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

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the petitioner has been nominated on the basis of disclosure statement made by the co-accused and there is no evidence to show that the amount transferred by the petitioner was used in the commission of crime; the petitioner is in custody for the last 01 year, 02 months and 24 days; he is not involved in any other case; trial of the case 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.

8. Reference can be made to the judgment of the Hon'ble Supreme Court in the case of ***Pardeep Kumar @ Banu versus State of Punjab***, bearing Criminal Appeal No.1341/2026 (arising out of SLP(Cri.)

No.18775/2025), decided on 13.03.2026, wherein it has been categorically held that where the accused has remained in custody for a considerable period and the trial has not even commenced, or is not likely to conclude in the near future, therefore, continued incarceration would amount to punishment without trial. In such circumstances, further detention pending trial is not necessary and the accused is entitled to be released on bail.

9. 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.

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

11. 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.

08.04.2026

Janki

**(H.S.GREWAL)
JUDGE**

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