

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

2028.PHHC.055975



**CRA-S-1158-2026 (O&M)
Date of Decision: 10.04.2026**

**MONU @ MONI ALIAS GOPI ... APPELLANT
VERSUS
STATE OF HARYANA AND ANOTHER ... RESPONDENTS**

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

Present:- Mr. Mukesh Yadav, Advocate for the appellant.

H.S. GREWAL, J. (ORAL)

1. This appeal has been filed under Section 14-A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, challenging the order dated 17.03.2026 passed by the Court of learned Additional Sessions Judge, Narnaul, whereby the application for grant of regular bail filed by the appellant has been dismissed in FIR No. 274 dated 01.10.2025 registered under Sections 126 (2), 115 (2), 140 (3), 3/5, 117 (2) BNS (Corresponding Sections 341, 323, 365, 34, 325 of IPC) and Section 3(2) V(A) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Police Station Sadar Narnaul, District Mahendergarh.
2. The case of the prosecution is that complainant along with his niece and daughter-in-law, was returning from Shani Temple in village Khaspur on a motorcycle bearing registration number HR-35J-2266. When they reached near the Government School in Khaspur, they noticed a Brezza car without registration number parked there. From the said vehicle, appellant along with the co-accused approached them, having a stick (danda) in their hands and forcibly snatched the key of the motorcycle.

Thereafter, the assailants started assaulting the complainant. It was further alleged that the appellant dragged the complainant's niece into the said car, and he, along with accused Vikash, fled from the spot while abusing him in the name of his caste.

3. Learned counsel for the appellant submits that the appellant is innocent and has been implicated falsely in the present case. No recovery has to be effected from the appellant. The appellant is in custody for the last 05 months and 07 days and is not involved in any other case. He, thus prays for grant of regular bail to the appellant.

4. Notice of motion.

5. Mr. Vijay Kumar, AAG Haryana accepts notice on behalf of the State and Mr. Aditya Sanghi, Advocate has put in appearance on behalf of the complainant and vehemently opposed the prayer for grant of regular bail to the appellant on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the appellant is in custody for the last 05 months and 07 days and out of total cited 25 prosecution witnesses, only 02 witnesses have been examined so far.

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 appellant is in custody for the last 05 months and 07 days; out of total 25 prosecution witnesses, only two have been examined so far; the conclusion of trial is likely to take a long time and continuous detention of the appellant would not serve the ends of justice. Accordingly, this Court deems it fit to

set aside the order dated 17.03.2026 passed by the learned Addl. Sessions Judge, Narnaul and to grant the concession of regular bail to the appellant 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 appeal is allowed. The appellant 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.

(H.S.GREWAL)
JUDGE

10.04.2026

Janki

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