



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

Sr.No.315

**CRM-M-21061-2026
Decided on : 18.05.2026**

Parveen

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Sutikshan Sharma, Advocate
for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

Mr. D.V.Dhindsa, Advocate
for the complainant.

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.406 dated 31.12.2025, registered under Sections 110, 115(2), 118(1), 351(2), 238, 3(5) of BNS, at Police Post Mahuakheri, Police Station Naraingarh, District Ambala.

2. Brief facts as per the prosecution case are that the petitioner alongwith co-accused armed with *gandasi*, *dandas* etc. caused injuries on the person of complainant and also snatched Rs.1270/- from his pocket and one gold ring. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further contends that the allegations levelled against the petitioner are false and he



has no concern with the said offence. Learned counsel contends that there is no direct evidence to connect the petitioner with the said offence. He further contends that the petitioner has been implicated in this case only because of previous enmity with the complainant. Learned counsel contends that the present FIR is counter-blast to the FIR registered against the complainant by the father of the petitioner. No recovery is to be effected from the petitioner. He further contends that the injury attributed to the petitioner is simple in nature. The petitioner is in custody since 31.12.2025 and he has clean antecedents as he is not involved in any other case. The investigation in this case is complete; challan stands presented and charges have been framed. He further submits that trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate which is taken on record. The status report has already been filed. 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 has not controverted the fact that the petitioner is a first time offender as he is not involved in any other case.

5. Learned counsel for the complainant, while opposing the petition for grant of bail, 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 and 13 days; he has clean antecedents as he

is not involved in any other case; the investigation in this case is complete;



challan stands presented; charges have been framed 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.

7. Reliance in this regard is placed upon a judgment of Hon’ble Supreme Court 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 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*”.

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.

9. All miscellaneous application(s), if any, stands disposed of accordingly.

18.05.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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