

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

2026.PHHC:062199



**CRM-M-20885-2026 (O&M)
Date of Decision: 23.04.2026**

**DHEERAJ @ MACCHAR ... PETITIONER
STATE OF HARYANA ... RESPONDENT**
VERSUS

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

Present:- Mr. S.S.Nain, 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.183 dated 31.05.2023 under Sections 302, 212, 34 IPC/103, 249 read with Section 3(5) BNS and Section 25 of Arms Act registered at Police Station City Rewari, District Rewari.

2. The case of the prosecution is that a blind murder of one Harinder (son of the complainant) had taken place who was stated to have been stabbed with a knife. Late on, the complainant came to know that Dheeraj @ Macchar, Golu and Nitesh along with 8-10 other persons had attacked the deceased with knives.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that one Shail who is stated to be the eye witness has not supported the case of the prosecution. The petitioner is in custody for the last 02 years, 10 months and 19 days. He, thus prays for grant of regular bail to the petitioner.

4. Notice of motion.

5. Mr. Vijay Kumar, AAG Haryana accepts notice on behalf of the State and vehemently opposes 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. As per the custody certificate, the petitioner is in custody for the last 02 years, 10 months and 19 days and out of total cited 34 prosecution witnesses, only 05 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 eye-witness Sahil has not supported the prosecution version; the petitioner is in custody for more than 02 years, 10 months and 19 days; out of total cited 34 prosecution witnesses, only 05 witnesses have been examined so far; the conclusion of trial is likely to take a long time 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.

23.04.2026
Janki

(H.S.GREWAL)
JUDGE

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