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

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Date of decision : 01.05.2026

SHAKTI @ RIMPI

... PETITIONER

Versus

STATE OF HARYANA

.. RESPONDENT

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

Present:- Mr. G.S. Dhillon, Advocate for the petitioner.

Mr. Vijay Kumar, AAG, Haryana.

H.S. Grewal, J.(Oral)

1. This petition has been filed by the petitioner seeking regular bail under Section 483 BNSS, 2023(erstwhile Section 439 Cr.P.C.), in case FIR No. No.50 dated 16.02.2021 under Sections 148, 149, 302, 307, 323, 324, 452, 506 & 326 IPC, registered at Police Station Baldev Nagar, District Ambala.

2. The case of the prosecution is that on 16.02.2021 at about 06:30/07:00 PM, an escalation took place between the complainant party and accused persons, which was converted into lethal fight amongst them. In this occurrence, Arun @ Anu, who was brother of the complainant, had succumbed to the injuries. It is alleged that co-accused Rishi, who was carrying knife in his hand, gave a blow on the neck of the deceased and second blow on his chest. Co-accused Lucky was having a sword in his hand and is alleged to have given a blow on the left side rib of the deceased. The present petitioner was allegedly having an axe type weapon in his hand and gave a blow on the left temple of

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the deceased. Co-accused Rajender is alleged to have given kick blow on the testicles of the deceased.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the injury attributed to him was declared to be simple in nature. It is submitted that co-accused Sandeep Soda @ Lucky and Akash Kumar @ Guddu have already been granted bail by this Court in CRM-M-3364-2025 and CRM-M-28995-2025 on 24.03.2026 (Annexure P-10). He also submits that the petitioner is in custody for the last more than 05 years, 02 months and 11 days. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as only 04 out of 31 cited prosecution witnesses have been examined so far.

4. Notice of motion.

5. On the asking of this Court, Mr. Vijay Kumar, AAG, Haryana, accepts notice on behalf of the respondent/State and has filed the custody certificate of the petitioner in Court, which is taken on record. He vehemently opposes the prayer for grant of regular bail to the petitioner. He, upon instructions, submits that the petitioner is in custody for the last more than 05 years, 02 months and 11 days. He, upon instructions, submits that only 04 out of 31 cited prosecution witnesses have been examined so far.

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

7. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more than 05 years, 02 months and 11 days, co-accused(s) have already been granted bail and that the trial is likely to take a long time to conclude as only 04 out of



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31 cited prosecution witnesses have been examined so far, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

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 learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

10. However, it is made clear that in case the petitioner misuses the concession of bail, the State/complainant would be at liberty to seek cancellation of his bail.

May 01, 2026
Sonia

(H.S.GREWAL)
JUDGE

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