



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

284

CRA-S-1386-2026 (O&M)
Date of decision: 23.04.2026

Deepak @ Makhan

....Appellant

Versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Navdeep Singh, Advocate for the appellant

Mr. Amrik Narwal, DAG Haryana

AMAN CHAUDHARY, J. (ORAL)

1. The present appeal has been preferred under Section 14-A(2) of the SC/ST Act read with Section 528 of BNS, against the order dated 24.03.2025, whereby the regular bail application of the appellant has been dismissed in case FIR No.357 dated 10.11.2022, registered under Sections 302, 201, 377. 34 IPC (further addition of amended charges under Section 3 of SC/ST Act) at Police Station Khol, District Rewari.

2. Learned counsel contends that the appellant has been in custody for 3 years and more than 5 months. His name surfaced based on the disclosure statement of co-accused Rahul. The allegations against him and the other co-accused are similar of having beaten the deceased with no specific injury attributed to any of them. One of whom namely Ashish @ Golu has been granted bail by this Court vide order dated 25.03.2026, Annexure P-3, after being in custody for 3 years and more than 4 months. There is no eye witness to the incident and he is not identified in CCTV footage. Charges have been framed on 04.05.2026, while amended on 07.04.2026 and out of 21 prosecution witnesses, 8 have been examined. There is no other case pending against the



appellant.

3. The custody certificate dated 22.04.2026, filed by the learned State counsel is taken on record. As per the same, the appellant is behind bars for 3 years, 5 months and 9 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the appellant of having given beatings to the deceased along with co-accused. However, he is unable to controvert the submissions with regard to stage, co-accused having been granted bail and no other case is pending against the appellant.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the appellant is in custody for the last 3 years, 5 months and 9 days; not involved in any other case; co-accused is on bail; charges were framed on 04.05.2023, however, amended on 07.04.2026 and 13 more prosecution witnesses still remain to be examined, the trial is likely to take a considerable time, further incarceration of the appellant would be violative of his right enshrined under Article 21 of the Constitution of India, the present appeal is allowed.

7. The appellant is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The appellant will not tamper with the evidence during the trial.
- (ii) The appellant will not pressurize/ intimidate the prosecution witnesses.



- (iii) The appellant will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The appellant shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The appellant shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The appellant shall not in any manner misuse his liberty.
- (vii) The appellant shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The appellant shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the appellant.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the appellant by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

23.04.2026

M.Kamra

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No