

2026:PHHC:073918



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

214

CRM-M-22926-2026
Date of decision: 12.05.2026

AJRUDDIN

... Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY.

Present : Mr. Munfaid Khan, Advocate
for the petitioner

Mr. Gautam Kaile, DAG, Haryana.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.149 (Annexure P-1) dated 27.09.2025 under Sections 191(3), 190, 115(2), 121(1), 132, 221, 109(1) and 324 of BNS, 2023, corresponding Sections 148, 149, 323, 332, 353, 186, 307 and 425 of Indian Penal Code 1860; Section 25 of Arms Act, 1959 and Section 3 of Prevention of Damage to Public Property Act, 1984, registered at police station Bichhore, District Nuh.

2. Learned counsel submits that the petitioner has been in custody for the last 07 months and 13 days. As per the allegations, the petitioner pelted stones at the police party while the allegation of firing gunshots was against accused Azad. As per the medico-legal report, co-accused Sahina and Nazma also suffered injuries having beaten up by police party, who alongwith 11 more

co-accused, having attributed the similar allegations like the petitioner herein, have already been granted regular bail by this Court vide order dated 27.03.2026; challan stands presented on 05.12.2025, charges are yet to be framed; there are 32 prosecution witnesses in all and is involved in one more case under NDPS Act, but not involved in any case under IPC. Reliance is placed on the judgment passed by Hon'ble The Supreme Court titled as **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. Learned State counsel opposes the bail on the grounds that the petitioner has actively participated in the commission of offence being part of an unlawful assembly. However, he is unable to controvert the submissions with regard to stage of the case; the petitioner being not involved in any case under IPC, but only one case under NDPS Act and the similarly circumstances co-accused having been enlarged on bail.

4. Heard.

5. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi (Supra)** had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the Jurisdiction of the Court, etc."

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 07 months and 13 days; not involved in any case under IPC; co-accused are on bail; challan having been presented but charges are yet to be framed; and there are total 32 PWs; the trial is likely to take a considerable time and further incarceration of the petitioner would be

violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made abundantly clear that in case, there is any breach of the conditions imposed by the Court concerned, the State shall be at liberty to seek cancellation of bail as granted to the petitioner 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

12.05.2026
Rajender

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