

134 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026.PHHC.040466



CRM-M-24565-2025 (O&M)
Date of Decision: 16.03.2026

ABANIKANT

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

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

Present:- Mr. Navdeep Singh, Advocate for the petitioner.
Dr. Malvika Singh, D.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.94 dated 04.03.2024 registered under Sections 302, 449, 34 IPC and Sections 27/29 of Arms Act, 1959 at Police Station Meham, District Rohtak.

2. The case of the prosecution is that one Ajmer along with his sons Mohit and Rasuk entered the house of the complainant armed with countrymade pistols and fired at the husband of the complainant Rup Singh which hit him near his chest resulting in his death. It is alleged that petitioner has supplied countrymade pistols and cartridges to co-accused Ajmer to commit the murder of the deceased.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been implicated falsely in the present case. The petitioner has not been named in the FIR and has been nominated on the basis of the disclosure statement made by co-accused Ajmer. However, nothing has been recovered from the petitioner. The petitioner is in custody for the last 01 year, 02 months and 02 days and is not involved in any other case.

4. Learned State counsel 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. He further submits that as per the custody certificate, the petitioner is in custody for the last 01 year, 02 months and 02 days.

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

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that apart from the disclosure statement made by the co-accused, there is no other evidence to connect the petitioner with the commission of crime; the petitioner is not involved in any other case; he is in custody for the last 01 year, 02 months and 02 days; 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. Moreover, *‘bail is rule and jail is exception’*.

7. 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 and heavy surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned since he is a native of Bihar.

8. 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.

16.03.2026
Janki

(H.S.GREWAL)
JUDGE