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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision : 07.05.2026

PARDUMAN ALIAS SHUBHAM ALIAS PARDHUM

... PETITIONER

Versus

STATE OF HARYANA

.. RESPONDENT

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

Present:- Mr. Keshav Pratap Singh, Advocate and
Ms. Meghna Nehra, Advocate and
Mr. Tarun Hooda, Advocate for the petitioner.

Mr. Vijay Kumar, AAG, Haryana.

H.S. Grewal, J.(Oral)CRM-19295-2026

Allowed as prayed for.

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1. This is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking grant of regular bail to the petitioner in case FIR No.103 dated 11.04.2024 registered under Sections 302, 364, 201 and 120-B IPC (corresponding Sections 103, 140(1), 238 and 61(2) of BNS, 2023) at Police Station Munak, District Karnal.

2. The case of the prosecution is that one Shubham was reported missing by his mother/complainant, who alleged before the police that her son had been kidnapped by some boys. Subsequently, the dead body of Shubham was recovered from a pit near Karnal-Assandh Road and as many as 26 injuries

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were found on his person. During the course of investigation, co-accused namely Abhishek @ Abhi, Ankush and the present petitioner were arrested on 13.04.2024 and are stated to have suffered disclosure statements to the effect that the deceased was having a relationship with one Neha, who belonged to another community, and on account thereof, they had given beatings to the deceased with their respective weapons and thereafter abandoned him near the roadside.

3. Learned counsel for the petitioner, however, submits that the present case is based entirely on circumstantial evidence and there is no direct evidence connecting the petitioner with the alleged offence. It is further submitted that the disclosure statements allegedly suffered by the co-accused and the petitioner during police custody are not admissible in evidence unless duly corroborated by independent material. Learned counsel further submits that although a baseball bat is alleged to have been recovered pursuant to the disclosure statement of the petitioner but the same cannot be conclusively connected with the commission of the alleged offence at this stage. He also submits that the petitioner is in custody for the last more than 02 years and 18 days and is not involved in any other criminal case. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as only 02 out of 35 cited prosecution witnesses have been examined so far.

4. Learned State counsel 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 02 years and 18 days. He,



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upon instructions, submits that only 02 out of 35 cited prosecution witnesses have been examined so far.

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

6. 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 02 years and 18 days, he is not involved in any other criminal case and that the trial is likely to take a long time to conclude as only 02 out of 35 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.

7. 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.

8. 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



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satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. 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 07, 2026
Sonia

(H.S.GREWAL)
JUDGE

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