



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

158

CRM-M-24965-2026

Date of decision : 18.05.2026

PARDEEP KUMAR @ SAHIL

..... PETITIONER

VERSUS

STATE OF HARYANA

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Ms. Pallavi Babbar, Advocate
for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

SURYA PARTAP SINGH. J.(Oral)

1. This petition has been filed against the order dated 07.04.2026 passed by learned Additional Sessions Judge, Karnal hereinafter being referred to as learned trial Court. By virtue of above-mentioned order the benefit of bail has been accorded to the petitioner, who is facing trial for the commission of offence punishable under Section 304 of BNS, vide FIR No.267 dated 12.11.2024.

2. The petitioner is aggrieved of the fact that by virtue of above-mentioned order while according the benefit of bail, a condition has been imposed that the petitioner would have to furnish bank guarantee or FD or deposit a sum of Rs.35,000/- in cash alongwith surety bonds.

3. Notice of motion.

4. Since advance notice has already been served upon the State, Mr. Ramender Singh Chauhan, AAG, Haryana, accepts notice on behalf of respondent-State. Hence, the service of notice upon the State is hereby dispensed with.

5. Heard.

6. It has been contended by learned counsel for the petitioner that the above-mentioned condition imposed by the learned trial Court is contrary to the settled principles of law, and that the above-mentioned condition is, too, harsh to be complied with by petitioner, who is a poor person .

7. In support of her arguments, the learned counsel for the petitioner has also referred to the principles of law laid down by Hon'ble Supreme Court of India in the case 'Prantik Kumar and Anr. Vs. The State of Jharkhand and Anr.' Law Finder Doc ID 2850783.

8. The learned State counsel has controverted the above-mentioned arguments. According to learned State counsel, it is the sole prerogative of the learned trial Court to impose any condition at the time of issuing the bail order. As per learned State counsel, as per settled law, the bail bonds are accepted on the satisfaction of trial Court only. In view of above, it has been contended that there is no scope for interference.

9. The record has been perused carefully.

10. A perusal of record shows that the petitioner has been accorded the benefit of bail, subject to the condition mentioned above. However as laid down by Hon'ble Supreme Court of India in the case of 'Prantik Kumar and Anr'. (supra), such condition should not be imposed.

Otherwise also, on the face of it, the above-mentioned condition seems to be harsh.

11. Thus, the present petition is hereby allowed and the order dated 07.04.2026 passed by the learned trial Court is hereby modified to the extent that there shall be no condition either to furnish bank guarantee for a sum of Rs.35,000/- or to place on record the FD of similar amount or to deposit Rs.35,000/- in cash, at the time of furnishing bonds.

12. With the above-mentioned observations, the present petition stands **allowed**, accordingly.

(SURYA PARTAP SINGH)
JUDGE

18.05.2026
vipin

Whether speaking/reasoned : Yes
Whether Reportable : No