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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-30675-2026****Date of Decision: 01.07.2026****SAWAN @ SAWAN KUMAR****...Petitioner****Vs.****STATE OF HARYANA****...Respondent****CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL**

Present: Ms. Malvi Aggarwal, Advocate for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The present first petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973), seeking the grant of regular bail to the petitioner in FIR No. 0691 dated 12.09.2025, initially registered under Sections 115, 126, 190, 191(3) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 323, 341, 149, 148 and 506 IPC), at Police Station Sadar Karnal, District Karnal, Haryana (Annexure P-1). Subsequently, Sections 110 and 117(2) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 308 and 325 IPC) were added upon submission of the final report.

2. The prosecution case, as set out in the FIR, is that the complainant had convened a panchayati meeting to discuss the issue of alleged teasing of his niece. It is alleged that while returning from the said meeting, the petitioner, along with the co-accused and other persons, wrongfully restrained the complainant and assaulted him with dandas, iron rods and other weapons, causing injuries. It is further alleged that when the complainant's father and sister reached the spot to intervene, they were also assaulted by the accused persons, who allegedly extended threats before



fleeing from the spot. On the basis of these allegations, the present FIR came to be registered against the petitioner and the co-accused.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is contended that the petitioner has been in judicial custody since 16.09.2025 and has undergone incarceration for about eight months. It is further submitted that the investigation stands concluded, the challan has already been presented, and charges have been framed. The case is presently at the stage of prosecution evidence, and despite there being 11 cited prosecution witnesses, none has been examined till date. He further submits that co-accused has already been granted the concession of regular bail by this Court in CRM-M-1681-2026 and CRM-M-808-2026. It is, thus, argued that the trial is likely to take considerable time to conclude. Learned counsel further submits that no useful purpose would be served by keeping the petitioner behind bars during the pendency of the trial and prays that the petitioner be enlarged on regular bail.

4. Notice of motion.

5. Mr. Tanuj Sharma, learned Assistant Advocate General, Haryana, has put in appearance on behalf of the respondent-State and has filed the custody certificate dated 30.06.2026, which is taken on record, subject to all just exceptions. As per the custody certificate, the petitioner has already undergone a total custody period of 09 months and 14 days.

6. Learned State counsel has opposed the present petition and submitted that the petitioner does not deserve the concession of bail, as there are chances he might influence the prosecution witnesses and will abscond from the process of law.



7. Be that as it may, considering the custody period already undergone by the petitioner, i.e. 09 months and 14 days, and the fact that investigation stands completed, challan has been presented before the learned Trial Court, charges have already been framed, and none of the witnesses have been examined, it is evident that the trial is likely to take some time to reach its logical conclusion.

8. Reliance is placed upon the judgment of the Hon'ble Apex Court in *Dataram Singh v. State of Uttar Pradesh & Another*, 2018 (2) R.C.R. (Criminal) 131, wherein it has been held that grant of bail is the rule and refusal thereof is an exception, and that a person is presumed to be innocent until proven guilty. It is further submitted that the right to speedy trial forms an integral part of the right to life and personal liberty guaranteed under Article 21 of the Constitution of India, and the same has been consistently recognised by the Hon'ble Supreme Court, including in *Balwinder Singh v. State of Punjab & Another* (SLO (CrI.) No. 8523/2024). In the present case, the trial is likely to consume considerable time before reaching its logical conclusion. In these circumstances, continued incarceration of the petitioner would serve no useful purpose, particularly when the trial can be effectively safeguarded by imposing appropriate conditions.

9. Accordingly, the present petition is allowed, and the petitioner is ordered to be admitted on regular bail, subject to furnishing requisite bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate concerned/Illaq Magistrate/Duty Magistrate, as the case may be, and further subject to the following conditions:-



1. The petitioner shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts before the Court or to the investigating agency.
2. The petitioner shall not tamper with the prosecution evidence in any manner whatsoever, nor shall attempt, directly or indirectly, to influence, intimidate, or contact any prosecution witness.
3. The petitioner shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court. In the event he is in possession of a passport, he shall furnish its particulars before the Investigating Officer as well as the learned Trial Court.
4. The learned Illaqa Magistrate/Duty Magistrate, before accepting the bail and surety bonds, shall obtain from the petitioner his permanent residential address as well as present correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours from the acceptance of the bail bonds and shall place a verification report on the record. In the event either of the addresses is found to be false, fictitious, or incorrect, it shall be open to the prosecution to seek cancellation of the concession of bail in accordance with law.
5. The petitioner shall furnish before the learned Trial Court, either at the time of furnishing the bail bonds or within such period as may be specified by the Court, Permanent Account Number (PAN),



Aadhaar Number, particulars of all operative bank accounts, and a declaration disclosing details of immovable properties, if any. Any concealment of material particulars or furnishing of false information shall constitute a valid ground for seeking cancellation of bail in accordance with law.

6. The petitioner shall intimate the Investigating Officer as well as the learned Trial Court, in writing, of any change in residential address or mobile number within seven days from the date of such change.

7. The petitioner shall not commit any offence of a similar nature during the pendency of the trial and shall remain present before the learned Trial Court on each and every date fixed, unless his personal appearance is exempted in accordance with law. She shall not absent herself from the proceedings without obtaining prior permission of the learned Trial Court. In the event of any violation of the aforesaid conditions or her unauthorized absence from the trial proceedings, it shall be open to the learned Trial Court to proceed in accordance with law, including cancellation of the concession of regular bail and issuance of appropriate coercive process, including warrants of arrest.

(VIRINDER AGGARWAL)
JUDGE

01.07.2026

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