 2026:PHHC:084136

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

CRM-M-30890-2026
Date of Decision: 27.05.2026

Harsh alias Harsh Sharma …Petitioner

vs.

State of Haryana …Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Edward Augustine George, Advocate with
Mr. Shubham Malik, Advocate and
Mr. Shubham Kalia, Advocate, for the petitioner.

Mr. Parmod Kumar, AAG, Haryana.

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N.S.Shekhawat J. (Oral)

1. The petitioner has filed the Second petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.0377, dated 29.10.2023 registered under Sections 238, 103, 35, 351 of BNS (under Sections 201, 302, 34, 506 of IPC), at Police Station Ram Nagar, District Karnal.

2. Learned counsel for the petitioner contends that as per the admitted case of the prosecution, the petitioner and his father Kaushal Sharma @ Koshal Sharma had caught hold of Charanjeet Singh, since deceased and Vishal Sharma had allegedly caused injury with a gandasi on the head of Charanjeet Singh. Learned counsel further contends that except that, no overact has been attributed to the petitioner and he was wrongly arrested on 02.12.2023. He further contends that the petitioner has been falsely involved in the present case. Learned counsel further contends that after presentation of the challan, the trial had commenced against him and, out of 24 witnesses, 8 prosecution witnesses, including the complainant, have already been examined by the trial Court.

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Since the material witnesses have already been examined, the petitioner may not be in a position to tamper with the prosecution evidence. Apart from that, the petitioner is the first offender and was not involved in any other criminal activity.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. In the present case, as per the FIR (Annexure P-1), the only role attributed to the petitioner is that he along with his father had caught hold of Charanjeet Singh, whereas the fatal blow has been attributed to his brother, Vishal Sharma. Apart from that, no other role has been assigned to the petitioner. The petitioner is stated to be in custody for the last more than 02 years and 05 months and material witnesses have already been examined by the prosecution. Thus, further custody of the petitioner will not serve any meaningful purpose.

6. At this stage, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

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

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