

2026:PHHC:012227



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

211

CRM-M-38421-2025
Date of Decision: 28.01.2026

RAHUL @ VIKRAM

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Vikas Saroha, Advocate
for the petitioner.

H.S. GREWAL, J. (ORAL)

The petitioner is seeking regular bail under Section 483 of BNSS of 2023 in case FIR No.430 dated 31.10.2020, under Sections 302, 201, 34 IPC registered at Police Station Sadar Ballabgarh, Faridabad, Haryana.

2. The case of the prosecution is that petitioner alongwith co-accused namely Vijay Pal, Hem Pal, Arun Partap, Deepak and Akash has caused injuries with stones and a broken slab of cement to Akshay, who was later declared dead in the hospital.

3. Learned counsel for the petitioner submits that no specific role has been attributed to the petitioner. The petitioner is in custody for the last 05 years, 02 months and 14 days. Trial is likely to take a long time for its conclusion as only 12 witnesses have been examined till date out of 21 cited prosecution witnesses. Further, the continuous detention of the petitioner would not serve the ends of justice, therefore, the petitioner be released on regular bail.

4. Notice of motion.

5. Mr. Rakesh Kumar Jangra, AAG, Haryana accepts notice and vehemently opposes the petition for grant of bail on the ground that there is an active role of the petitioner in the commission of the said offence. Hence, he prays for dismissal of the present petition. Custody certificate filed by the State Counsel is

taken on record. As per the said certificate, the petitioner is in custody for the last 05 year, 02 months and 14 days.

6. Mr. Baljeet Singh Beniwal, Advocate appears on behalf of the complainant and he also opposes the grant of bail to the petitioner on the ground of gravity of offence committed by him.

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

8. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody for the last 05 year, 02 months and 14 days and the trial will take a long time to conclude, this Court is of the opinion that the petitioner deserves the concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, the petitioner is entitled to regular bail during the pendency of the trial.

9. 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/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

11. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

JANUARY 28, 2026.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No