

2026:PHHC:022039



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

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CRM-M-45416-2025
Date of Decision: 12.02.2026

DHARAMBIR

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Arvind Bansal, Advocate
for the petitioner.

Mr. Rakesh Kumar Jangra, AAG, Haryana.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.23 dated 01.02.2025 under Sections 111(2)(d), 312 and 313 of BNS, 2023 registered at Police Station Narwana City, District Jind.

2. The case of the prosecution is that on secret information, the petitioner alongwith his co-accused was arrested and one air pistol alongwith one Alto car was recovered from the petitioner, which is stated to have been used in the commission of offence.

3. Learned counsel for the petitioner contends that at this stage it cannot be stated that the alleged offence has been committed by using the aforesaid vehicle. Moreover, the recovered air pistol is not connected with the alleged offence. He further contends that the petitioner is in custody for the last 01 year and 11 days. It is further stated that although the petitioner is involved in eight more cases, however, he is on bail in all those cases. Learned counsel further submits that the trial against the petitioner is running at a very slow pace as out of 17 prosecution witnesses, only

01 has been examined till date. As such, the trial of the case will take a long time to conclude.

4. Learned State Counsel vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the present petitioner in the commission of the alleged offence are serious. 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 01 year and 11 days.

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

6. 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 01 year and 11 days, 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, therefore, he is entitled to regular bail during the pendency of the trial.

7. Hence, 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.

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

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

FEBRUARY 12, 2026.

Rajender

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

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No