

2026:PHHC:015702



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

209

CRM-M-54051-2025

Date of Decision: 03.02.2026

ALAM

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. A.P.S. Mann, 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.224 dated 19.06.2020 under Section 302 of IPC (Challan presented under Section 302, 120-B, 212 and 201 of IPC) registered at Police Station Ferozepur Jhirka, District Nuh.

2. The case of the prosecution is that a blind murder was committed, whereupon the abovementioned FIR was registered. Later on, during investigation, the petitioner alongwith his co-accused persons was found involved in the present case. However, the petitioner was declared proclaimed offender, whereas his co-accused had faced trial and were eventually acquitted of the charges framed against them. Now the petitioner has been arrested in the present case on 09.02.2025.

3. Learned counsel for the petitioner contends that the co-accused of the petitioner have already been acquitted by the trial Court and as such, there is every possibility of acquittal of the present petitioner. He further submits that the petitioner is in custody for the last 11 months and 20 days. It is further stated that the trial against the petitioner is yet to commence and as such, the same will take a long time to conclude.

4. On the other hand, learned State Counsel vehemently opposed 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 pray 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 11 months and 20 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 11 months and 20 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, therefore, he is entitled to regular bail during the pendency of the trial.

7. 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.

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 03, 2026.

Rajender

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

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No