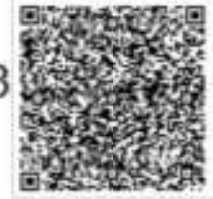


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(125)

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

CRM-M-54278-2025 (O & M)

Date of Decision: 17.03.2026

Chirag

... Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sumit Sangwan, Advocate,
for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS is for the grant of regular bail in case bearing FIR No.0239 dated 01.12.2023 under Sections 34, 302 IPC and Section 25 of the Arms Act, 1959 (Sections 120-B, 201 IPC added and Section 25 of the Arms Act, 1959 is replaced with Section 25(1-B) (a) of the Arms Act, 1959 later on) registered at Police Station Sadar Bahadurgarh, District Jhajjar.

2. The learned counsel for the petitioner contends that all the material prosecution witnesses have turned hostile. Merely, because the weapon recovered from the petitioner has been found to have been used in the occurrence would not be sufficient to inculcate the petitioner. As he is in custody since 05.12.2023 but only 05 of the 29 prosecution witnesses have



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been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

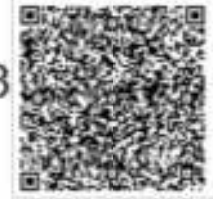
3. The learned counsel for the State, on the other hand, has filed a status report dated 13.03.2026 which is taken on record. While referring to the said report, he contends that the petitioner is alleged to have fired at the deceased. The weapon recovered from the petitioner was sent for forensic analysis and it has been found that it was used in the occurrence. Therefore, the petitioner is not entitled to the concession as prayed for. He, however, does not dispute that all the material prosecution witnesses have turned hostile, that he is in custody since 05.12.2023 and that only 05 of the 29 prosecution witnesses have been examined so far.

4. I have heard the learned counsel for the parties.

5. Admittedly, all the material prosecution witnesses have turned hostile. Whether the report of the FSL alone would be sufficient to affix the culpability of the petitioner shall be adjudicated upon during the course of the Trial. The petitioner is in custody since 05.12.2023 but only 05 of the 29 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

6. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Chirag is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

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7. In addition, the petitioner (or anybody on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.

8. The petition stands disposed of.

9. Since the main petition has been allowed, no order needs to be passed in the pending application(s), if any.

(JASJIT SINGH BEDI)
JUDGE

March 17, 2026

sukhpreet

Whether speaking/reasoned:- Yes/No

Whether reportable :- Yes/No