

2026.PHHC.040340



CRA-S-3100-2025

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

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CRA-S-3100-2025 (O & M)

Date of decision: 16.03.2026

PARVEEN KUMAR @ GANDHI

....Appellant

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Dhananjay Singh, Advocate and
Mr. Chetan Gupta, Advocate and
Mr. Sandeep Kumar Simpy, Advocate,
for the appellant.

Mr. B.S.Saroha, DAG, Haryana.

AMAN CHAUDHARY, J. (ORAL)

1. The present appeal has been filed against the order dated 09.09.2025 passed by learned Addl. Sessions Judge, Fatehabad, vide which application for regular bail of the appellant has been dismissed in FIR No.272 dated 16.06.2024, under Sections 302, 307, 34, 506, 212, 202, 201 and 120-B IPC, Section 25 of the Arms Act, Section 3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station City Fatehabad, District Fatehabad.

2. Learned counsel submits that the appellant has been in custody for 1 year and about 9 months. He alleges false implication. His name surfaced in the supplementary statement of the complainant. As per the allegations, he had done recce of the spot. Co-accused, namely, Ravi

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Kumar, Rai Sahib and Ravi Kumar have since been granted bail, as also one Bindu Kumar vide order of even date. Charges have been framed on 19.07.2025 and 5 material PWs, including the complainant, who has not supported the prosecution version, but there are still 50 more to go. He is not involved in any other case.

3. Learned State counsel opposes the bail on the ground that the appellant is a conspirator having conducted recce of the spot in question, based on which co-accused had committed the offence. However, he is unable to controvert the submissions with regard to stage of the case; the appellant being not involved in any other case and the co-accused having been enlarged on bail.

4. Heard.

5. Considering the facts and circumstances of the case, in particular that the appellant is in custody for the last 1 year, 8 months and 14 days; not involved in any other case; the co-accused are on bail; charges stand framed on 19.07.2025, however, 5 material witnesses, including the complainant, have been examined out of 55, the trial is likely to take a considerable time, further incarceration of the appellant would be violative of his right enshrined under Article 21 of the Constitution of India, the impugned order dated 09.09.2025 is set aside and the present appeal is allowed.

6. The appellant is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial

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Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The appellant will not tamper with the evidence during the trial.
- (ii) The appellant will not pressurize/ intimidate the prosecution witnesses.
- (iii) The appellant will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The appellant shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The appellant shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The appellant shall not in any manner misuse his liberty.
- (vii) The appellant shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The appellant shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the appellant.

7. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the appellant by this order.

8. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and

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would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

16.03.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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