



CRM-M-57551-2025

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

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**CRM-M-57551-2025
Date of Decision: 24.02.2026**

NITISH KULHARIA

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Jitender Dhanda, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 483 of BNSS for grant of regular bail in case FIR No.531 dated 05.09.2023, registered under Sections 307, 387, 506, 34, 212, 120-B IPC and Sections 25(1-D) a / 54/59 /27 and 29 of the Arms Act, 1959, at Police Station Civil Lines, District Hisar.
2. The case of the prosecution is that co-accused Manish, along with his associates, allegedly made repeated telephonic calls demanding “rangdari” of ₹50,000/- per month from the complainant for allowing him to continue operating his hotel. When the complainant refused to accede to the demand, Manish and his associates reportedly reached at the spot on motorcycles, reiterated their demand, and one of them allegedly fired three shots at the complainant with the intention to kill him.



3. Learned counsel for the petitioner submits that the case against the petitioner is concocted one. He further submits that the petitioner has not been named in the FIR and no recovery has been effected from him. The petitioner is in custody since 24.06.2025. It is submitted that material witnesses including the complainant have been examined and they have not supported the prosecution version. He further submits that the co-accused have already been granted the concession of regular bail by this Court and prays for grant of bail to the petitioner on the ground of parity.

4. Notice of motion.

5. On the asking of this Court, Ms. Ruchi Sekhri, Addl. A.G.Haryana accepts notice on behalf of the respondent-State and has vehemently opposed the prayer made by the ld. counsel of the petitioner on the ground that the allegations against the petitioner are serious in nature, involving a demand for extortion coupled with a murderous assault. She has filed the custody certificate of the petitioner in the Court today and the same is taken on record. She further submits that as per custody certificate, the petitioner is in custody for the last 07 months and 29 days and is involved in one more case.

6. After hearing the rival contentions of learned counsel for the parties and keeping in view the facts and circumstances of the case and the fact that the petitioner is in custody for the last 07 months and 29 days; the trial is likely to 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.



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

9. 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.

24.02.2026
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(H.S. GREWAL)
JUDGE

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