

2026.PHHC.003935



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

230+244

Date of decision: 14.01.2026

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NAVNEET KUMAR V/S STATE OF HARYANA AND ANOTHER

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VIJAY V/S STATE OF HARYANA AND ANOTHER

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Narender Kaajla, Advocate,
for the petitioners in both cases.

Mr. Gautam Kaile, DAG, Haryana.

Mr. Vikas Vashisth, Advocate,
for respondent No.2.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petitions filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.360 dated 06.09.2025, registered at Police Station Chandimandir, Panchkula, under Sections 109(1), 115, 118(1), 190, 191(3), 351(2) of BNS, (later added Sections 61(2), 117(2), 118(2) BNS (corresponding Sections 307, 323, 324, 148, 149 and 506 IPC) (later added Sections 120-B, 325 and 326 IPC).

2. Learned counsel submits that the petitioners have in custody for the last 4 months. They allege false implication. There is no medical opinion with regard to the injuries declaring the same to be dangerous to

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life. Further, the matter has since been compromised with the complainant. Challan has been presented on 03.12.2025, however, charges are yet to be framed and there are, in all, 21 PWs. Petitioner-Navneet Kumar is involved in one more case wherein he is on bail, however, none is pending against petitioner-Vijay. Reliance is placed on the judgment passed by Hon'ble The Supreme Court titled as **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioners of having inflicted injuries to Ali Ahmed and Natha Khan. However, he is unable to controvert the submissions with regard to stage of the case and petitioner-Vijay being not involved in any other case whereas petitioner-Navneet Kumar on bail in other case.

4. Learned counsel for the complainant affirms the factum of compromise and has no objection for grant of bail to the petitioner.

5. Heard.

6. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (Supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court, etc."

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7. Considering the facts and circumstances of the case, in particular that the petitioners are in custody for the last 4 months; challan stands presented on 03.12.2025, but charges have not been framed and there are total 21 PWs; the trial is likely to take a considerable time, further incarceration of the petitioners would be violative of his right enshrined under Article 21 of the Constitution of India, the present petitions are allowed.

8. The petitioners are ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioners will not tamper with the evidence during the trial.
- (ii) The petitioners will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioners will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioners shall not commit an offence similar to the offence of which, they are an accused, or for commission of which they are suspected of.
- (v) The petitioners 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 petitioners shall not in any manner misuse their liberty.
- (vii) The petitioners shall furnish their addresses and mobile number by way of affidavits to the trial Court and not change the same till conclusion of trial and if for any reasons, they seek to change

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either of the aforesaid, it shall be done only with prior information to the learned trial Court.

- (viii) The petitioners 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 petitioners.

9. 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 petitioner by this order.

10. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

11. Photocopy of this order be placed on the connected file(s).

14.01.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No