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

**CRM-M No.63967 of 2025
Date of Decision: 25.02.2026**

Jamdali @ Rihan**..... Petitioner****Versus****State of Haryana****..... Respondent****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Arpandeeep Narula, Advocate and
Mr. Piyush Mittal, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.524, dated 30.06.2025, under Section 42 of Prisons Act and Sections 110, 118(1), 121(1), 132, 190, 191(3), 221 & 61 of BNS (Section 110 BNS deleted and Section 109 BNS added later on), registered at Police Station Azad Nagar Hisar, District Hisar.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Vikram Singh, Deputy Jail Superintendent, Central Jail-2, Hisar. It was alleged that Naseeb Singh was working as warden in the jail. On 29.06.2025, the warden, namely, Naseeb Singh was discharging his duties as Barrack



Incharge and at about 06:00 P.M., when the warden, Naseed Singh, was discharging his official duties, suddenly, prisoners, namely, Suraj, Rahul, Surender, Ajay Kumar and Rinku opened an attack on him. The security guard tried to save the warden, Naseeb Singh, however, he was also attacked by them. It was found later on that other two prisoners, namely, Aman and Jamad Ali, i.e. the petitioner were also involved. Thus, the request was made to take legal action against the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. The injured were medico legally examined. Complicity of the petitioner surfaced during the investigation and thus, he was arrayed as an accused in the present case and thereafter, he was arrested in the present case on 19.07.2025. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Hisar praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Hisar dismissed the bail application filed by the petitioner vide order dated 24.10.2025. Hence being aggrieved, the petitioner is before this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that admittedly the occurrence in the present case has taken place in the jail premises itself. He has submitted that the petitioner was also a prisoner in the said jail. He has submitted that from the bare reading of the allegations in the FIR, it is apparent that 05 of the co-accused were



specifically named in the FIR and specific role was also attributed to them. He has submitted that the petitioner has been implicated in the present case on the basis of disclosure statement of co-accused as he was alleged to be the part of conspiracy. He has submitted that even the CCTV footage was verified, however the presence of the petitioner at the relevant time at the place of occurrence is not substantiated. He has submitted that false implication of the petitioner is evident. He has submitted that though the petitioner is involved in 06 other cases, however in 05 of the cases, he is on bail. He has submitted that at the relevant time, the petitioner was on bail. He has thus submitted that false implication of the petitioner is writ large and, thus, in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. Status report dated 28.01.2026 by way of an affidavit of Kamaljeet, HPS, Deputy Superintendent of Police, Hisar on behalf of the respondent-State has already been filed by the learned State counsel in the Court, which is taken on record.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that though the allegations regarding causing the injuries to the warden are not against the petitioner, however, it has been found during the investigation that the petitioner was the part of conspiracy. All the accused are the prisoners, who in a well hatched conspiracy opened an attack on the public servant, while he was discharging his official duties. He, on instructions, has submitted that the investigation is complete and the charges have also been framed. He, on instructions, has submitted that out of total 18 prosecution witnesses, no witness has been examined so far. He has



produced custody certificate of the petitioner today in the Court, which is taken on record.

6. Heard.

7. After hearing counsel for the parties and perusing the record, it is deciphered that admittedly all the accused in the present case are the prisoners. The incident has also taken place inside the jail. The allegations regarding the opening an attack on the warden are against the co-accused. Complicity of the petitioner is surfaced during the investigation and he has been alleged to be the part of conspiracy only. The petitioner is behind bars since the date of his arrest, i.e. 19.07.2025. Custody certificate produced would show that the petitioner has suffered an incarceration of 07 months and 07 days as on 24.02.2026. It further reflects that the petitioner is involved in 06 other cases, however in 03 of the cases, he is on bail. Out of total 18 prosecution witnesses, no witness has been examined so far.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. However, if the petitioner does not furnish the bail bonds within seven days from today,

then his further custody period after one week will not be counted in this case.

10. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

24.02.2026

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(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No