

146 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

2026.PHHC.041379



CRM-M-64539-2025 (O&M)  
Date of Decision: 17.03.2026

SURESH ... PETITIONER  
VERSUS  
STATE OF HARYANA ... RESPONDENT

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

Present:- Mr. Balraj Gujjar, Advocate for the petitioner.  
Mr. Rakesh Kumar Jangra, A.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.657 dated 19.11.2021 registered under Sections 302, 34, 201 IPC at Police Station City Ballabgarh, District Faridabad.

2. The case of the prosecution is that complainant moved a complaint alleging that on 18.11.2021, he received a call from one Sachin, who is friend of his brother Vipin that a fight had taken place between Vipin on one hand and Suresh (the petitioner) and Ganguli on the other hand over a trivial issue and Vipin has been hit on the head, mouth and stomach by beer bottle by petitioner along with the co-accused Ganguly @ Rajesh which resulted in the death of Vipin.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The matter has been reported after a delay of 3 days. It is further submitted that the petitioner has been attributed injuries with the belt which were simple in nature. However, the belt has not been recovered. It is a case of circumstantial evidence and no eye-witness was present at the spot. The petitioner is in custody for the last 02 years,

10 months and 09 days.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 02 years, 10 months and 09 days and is involved in four more cases and out of total 26 prosecution witnesses, only 2 have been examined so far.

5. I have heard the learned counsel for the parties and perused the record.

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that it is a case of circumstantial evidence; no eye-witness was present at the spot; the petitioner is in custody for the last 02 years, 10 months and 09 days; out of total 26 prosecution witnesses, only 2 have been examined so far; the conclusion of trial is likely to take a long time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *‘bail is rule and jail is exception’*.

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 bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

(H.S.GREWAL)  
JUDGE

17.03.2026