

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

2026.PHHC.037413



**CRM-M-65529-2025 (O&M)
Date of Decision: 11.03.2026**

**VISHAL ... PETITIONER
STATE OF HARYANA ... RESPONDENT**

VERSUS

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

Present:- Mr. Rohit Mittal, Advocate for the petitioner.

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.59 dated 12.04.2025, under Sections 190, 191(3), 115(2), 117(2), 333, 331(7), 351(2), 61(2) of BNS registered at Police Station Nangal Choudhary, District Mahendergarh.

2. The case of the prosecution is that on 12.04.2025, one Rohit along with his 4-5 accomplices entered the house of the complainant, having lathi in their hands, assaulted the mother of the complainant and inflicted grievous injuries on her legs.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The petitioner has not been named in the FIR and has been nominated on the basis of the disclosure statement made by the co-accused. The petitioner is in custody for the last 10 months and 17 days and is not involved in any other case.

4. Notice of motion.

5. Dr. Malvika Singh, D.A.G., Haryana accepts notice on behalf of the State and Mr. Shreenath A. Khemka, Advocate accepts notice on behalf of the complainant and vehemently opposed 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 10 months and 17 days. She further submits that out of total 21 prosecution witnesses, only 6 have been examined so far and petitioner is not involved in any other case.

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

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the petitioner has been nominated on the basis of the disclosure statement made by the co-accused; the petitioner is in custody for the last 10 months and 17 days and is not involved in any other case; out of total 21 prosecution witnesses, only 6 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*'.

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

9. 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.

11.03.2026

Janki

(H.S.GREWAL)
JUDGE

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