

2026.PHHC.024526



CRM-M-68038-2025

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

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CRM-M-68038-2025 (O & M)

Date of decision: 17.02.2026

HARSH KUMAR @ HARSHU

....Petitioner

Versus

UT OF CHANDIGARH

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Abhay Bhardwaj, Advocate,
for the petitioner.

Mr. Manish Bansal, PP U.T. Chandigarh and
Mr. Dixit Bhardwaj, Advocate for the respondent.

Mr. Tarun Kumar, Advocate, for the complainant.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 of BNSS is for grant of regular bail to the petitioner in case FIR No.50 dated 29.03.2025, registered under Sections 115(2), 126(2), 351(2), 109, 191(2), 191(3), 190 & 103 BNS, at Police Station West Sector 11, Chandigarh.

2. Learned counsel contends that the petitioner has been in custody for 8 months and 6 days. He alleges false implication. As per the allegations, he is stated to have given punches on the back of the deceased. Co-accused, namely, Prem Bhana alias Maan having similar allegations has since been granted bail by this Court, after being in custody of 7 months and 27 days, as also Raghav and Ritik, who had

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allegedly blocked the way of the deceased, and the latter had also given kick and fist blows, and Lovish, who was not attributed any injury, vide orders dated vide orders dated 26.08.2025 and 15.01.2026. Charges have been framed on 01.10.2025, however, out of 29 prosecution witnesses, only 5 have been examined. The petitioner is not involved in any other case.

3. The custody certificate dated 16.02.2026, filed by learned State counsel is taken on record. As per the same, the petitioner is behind bars for 8 months and 6 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner of having given fist blows to the deceased. However, he is unable to controvert the submissions with regard to stage of the case; the petitioner is not involved in any other case and the co-accused having been released on bail.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 8 months and 6 days; not involved in any case; co-accused are on bail; charges were framed on 01.10.2025, 5 PWs stand examined, but there are still 24 more to go; the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial

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Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner 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 petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner 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 petitioner.

8. 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.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and

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would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

17.02.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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