

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

112

2026:PHHC:034817



CRA-S-3705-2025 (O&M).
Date of decision: 07.03.2026.

TARSEM SINGH @ TARSEM KUMAR

...Appellant(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Nirmal Singh, Advocate,
for the appellant.

Ms. Chhavi Sharma, AAG, Haryana
(Through Video Conference) assisted by
ASI Pardeep No.1120/KKR.

VINOD S. BHARDWAJ, J. (Oral)

CRM-9182-2026

For the reasons set out in the present application, the same is allowed. Main appeal seeking grant of regular bail is preponed from 27.04.2026 and is taken on board today itself for hearing.

CRM-9183-2026

Application is allowed as prayed for subject to all just exceptions.

Annexures P-7 to P-10 are taken on record.

The Registry is directed to tag the same at an appropriate place.

Main case

Seeking grant of regular bail in FIR No.29 dated 17.02.2021

registered for offences punishable under Section(s) 323, 452 and 506 of the Indian Penal Code, 1860 and Section(s) 3(r)(s), and 3(2) VA of the Scheduled Castes and the Scheduled Tribes (Prevention Of Atrocities) Act, 1989, at Police Station Ismailabad, District Kurukshetra; the appellant has preferred the present appeal impugning the order dated 03.11.2025 whereby the application for regular bail has been dismissed by the Additional Sessions Judge, Kurukshetra.

2. Learned counsel for the appellant submits that the appellant has been falsely implicated in the aforesaid FIR that was registered on the statement of Gulab Singh. He contends that soon after registration of the FIR, the appellant was taken in custody and was eventually granted regular bail vide order dated 18.06.2021, by the Additional Sessions Judge, Kurukshetra. It is submitted that appellant thereafter jumped bail on 11.12.2023 and later on surrendered before the trial Court whereupon he was released, however, yet again, he absented himself next time on 28.04.2025 and surrendered on 29.08.2025 and that he is in continuous custody since then. It is submitted that the appellant has undergone custody period of nearly 07 months since 29.08.2025 and had undergone actual custody in the present case for a period of more than one year. He contends that the appellant is a Law Graduate but on account of his familial circumstances, he could not get himself enrolled with the Bar Council. It is contended that examination of the prosecution witnesses shall take long time in concluding and further custodial interrogation of the appellant is not likely to serve any larger interest of justice.

3. Learned State counsel, on instruction from ASI Pardeep submits

that even though the aforesaid facts are not in dispute, however, the appellant has repeatedly absented himself from the trial Court and that it was under said circumstances that his application for regular bail has been dismissed. She submits that 08 witnesses out of 16 witnesses cited by the prosecution have been examined so far and the next date before the trial Court for recording evidence of the remaining prosecution witnesses is 03.04.2026.

4. Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone by the appellant after his surrender and as also the fact that only 08 witnesses out of 16 witnesses cited by the prosecution have been examined so far and that further custodial detention of the appellant is not likely to serve any substantive interest of justice, the present appeal is allowed. The appellant is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

5. It is made clear that the appellant shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

6. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

March 07, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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