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CRM-M No.67634 of 2025
Date of decision : 9.2.2026
Date of uploading : 9.2.2026

State of Haryana**Respondent**

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3. Learned counsel for the petitioner has argued that the petitioner



is in custody since 5.5.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the petitioner has been primarily implicated into the FIR in question on account of disclosure statement which is not tenable in law. Learned counsel has further submitted that the petitioner is a man with clean antecedents and has also suffered incarceration for more than 6 months. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 6.2.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 5.5.2025 wherein after investigation was carried out; challan was prepared on 25.7.2025 and subsequently filed. Total 25 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with



the prosecution evidence.

6.1 As per custody certificate dated 6.2.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 6 months and 23 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.



- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

9.2.2026
Ashwani

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