

2026:PHHC:043283



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

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CRM-M-69838-2025
Date of Decision: 19.03.2026

SANJIT @ BONA

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Sahil Choudhary and Mr. Sanpreet Sandhu,
Advocates for the petitioner.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.617 dated 27.11.2020 under Sections 302, 420, 471, 473, 34, 120-B of IPC and Section 25 of the Arms Act, 1959 registered at Police Station Gharaunda, District Karnal.

2. The case of the prosecution is that on 27.11.2020, the petitioner alongwith his co-accused Ikram @ Machhar came on a motorcycle and the said Ikram @ Machhar fired gunshots at the father of the complainant, which hit him on his chest and stomach. The father of the complainant fell down. Thereafter, the petitioner took pistol from Ikram @ Machhar and fired at the back of the father of the complainant. The father of the complainant later on succumbed to the injuries. It is further stated that one Sameen, who was stated to be the conspirator, was found innocent during investigation.

3. Learned Counsel for the petitioner contends that on 28.11.2020 the petitioner was arrested in the present case and his co-accused Ikram @ Machhar was stated to be killed in an encounter by the police. He further stated that the petitioner has been implicated falsely in the present case due to personal grudge and infact, he has committed no crime. Even no recovery of any nature whatsoever has been effected from the petitioner. It is further submitted that the petitioner is in custody for the last 05 years, 03 months and 15 days. He further submits that although the petitioner is involved in one more case under Section 379 of IPC, but the said case was registered in 2018 i.e. prior to the registration of the instant FIR. He further contends that the trial of the case will take a long time to conclude because out of 12 witnesses, only 01 witness has been examined so far. He thus prays that the petitioner be granted the concession of regular bail.

4. Notice of motion.

5. Mr. Rakesh Kumar Jangra, AAG, Haryana accepts notice on behalf of the State and submits that the reply/status report has already been filed in the Registry of this Court. On the other hand, Mr. Suraj Mandhan, Advocate has appeared on behalf of the complainant. They vehemently oppose the petition for grant of bail on the ground that the allegations and role attributed to the petitioner in the commission of the alleged offence are specific and serious in nature and the petitioner has actively participated in the alleged offence. They further submit that the petitioner is habitual offender as he is involved in one more criminal case and as such, he does not deserve the concession of bail. Hence, he prays for dismissal of the present petition. Custody certificate produced by the State Counsel is taken on record.

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

7. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody for the last 05 years, 03 months and 15 days coupled with the fact that the trial of the case is moving at a very slow pace and is likely take a long time to conclude, this Court is of the opinion that the petition in hand deserves to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, therefore, he is entitled to regular bail during the pendency of the trial.

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

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

10. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

MARCH 19, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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