



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

109

CRM-M-70294-2025 (O&M)
Date of decision: 23.03.2026

Tony Sharma

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Pankaj Kaushik, Advocate for the petitioner

Mr. B.S. Saroha, DAG Haryana

Mr. Randeep Singh Dhakla, Advocate for the complainant

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.140 dated 16.05.2024, registered under Sections 148, 149, 323, 452, 307, 302, and 506 IPC at Police Station Nigdhu Karnal, District Karnal.

2. Learned counsel contends that the petitioner has been in custody for 1 year and about 10 months. He alleges false implication. As per the allegations, he is stated to have given a sword blow on the knee of the deceased, however, as per the MLR, it is by way of blunt part of the weapon. Similar circumstanced co-accused Rahul has been granted bail by this Court vide order dated 11.03.2026, after being in custody 1 year and about 9 months. Fatal injuries with knife on the stomach and shoulder have been attributed to co-



accused Lovely. Charges were framed on 21.01.2025 and out of 27 prosecution witnesses, 1 has been examined, however, the complainant has not been appearing before the trial Court despite issuance ofailable warrants thrice and special messenger having been deputed for the same, as is reflected in the zimni orders dated 18.10.2024, 19.11.2024, 12.12.2024 and 20.02.2026, whereafter, an application under Section 319 Cr.P.C. has been filed. The petitioner is not involved in any other case.

3. The custody certificate dated 05.02.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 1 year, 8 months and 9 days.

4. Learned State counsel as also learned counsel for the complainant opposes on the ground that there are specific allegations against the petitioner of having given sword blow along with co-accused Rahul. However, he is unable to controvert the submissions with regard to stage of the case, co-accused having been granted bail and the petitioner being not involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 1 year, 8 months and 9 days; not involved in any other case; co-accused is on bail; charges stand framed on 21.01.2025, 1 PW has been examined but there are still 26 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

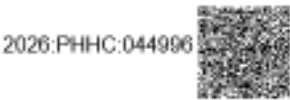


furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (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 would not



be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

23.03.2026
M.Kamra

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