

2026.PHHC.031335



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

128

Date of decision: 26.02.2026

1. CRM-M-69955-2025
SAHIL V/S STATE OF UT CHANDIGARH

2. CRM-M-2991-2026
UDAY TUSHAR V/S UT CHANDIGARH

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Abhay Bhardwaj, Advocate for the petitioner
In CRM-M-69955-2025.

Mr. Durga Dutt Sharma, Advocate for the petitioner
In CRM-M-2991-2026.

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

AMAN CHAUDHARY, J. (Oral)

1. The present petitions filed under Section 483 of BNSS 2023 for grant of regular bail to the petitioners 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 submits that the petitioners have been in custody for 10 months & 27 days. The allegations against the petitioners are of caught hold, while co-accused who had been attributed kick and fist blows and blocked the way of the victim, have been granted bail vide orders, appended as Annexures P4 to P7 with CRM-M-2991-2026. No overt act has been attributed to the petitioners. The main accused who had inflicted knife blow to the deceased is co-accused Deepak Singh. Charges have been framed on 01.10.2025 and none of the petitioners has

been identified by the material witnesses who stand examined, however, besides whom 7 more have been examined and there are 19 more still to go. They are not involved in any other case.

3. The custody certificates dated 25.02.2026, filed by the learned State counsel are taken on record. As per the same, the petitioners are behind bars for 10 months & 27 days.

4. Learned counsel for the UT Chandigarh opposes the bail on the ground that there are specific allegations against the petitioners of having actively participated in the commission of offence being part of the unlawful assembly. However, he is unable to controvert the submissions with regard to stage, petitioners being not involved in any other case and co-accused having been enlarged on bail.

5. Heard.

6. Considering the facts and circumstances of the cases, in particular that the petitioners are in custody for last 10 months & 27 days; not involved in any other case; co-accused are on bail; charges were framed on 01.10.2025 and 10 PWs, out of 29, have been examined, the trial is likely to take a considerable time, further incarceration of the petitioners would be violative of their right enshrined under Article 21 of the Constitution of India, the present petitions are allowed.

7. The petitioners are 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 petitioners will not tamper with the evidence during the trial.
- (ii) The petitioners will not pressurize/ intimidate the prosecution witnesses.

- (iii) The petitioners will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioners shall not commit an offence similar to the offence of which, they are an accused, or for commission of which they are suspected of.
- (v) The petitioners 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 petitioners shall not in any manner misuse their liberty.
- (vii) The petitioners shall furnish their addresses and mobile numbers by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, they seek to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioners 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 petitioners.

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 petitioners 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.

10. Photocopy of this order be placed on the connected file.

26.02.2026
ashok

(AMAN CHAUDHARY)
JUDGE

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