

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

2026-PHHC:027212



**CRM-M-71521-2025 (O&M)
Date of Decision: 20.02.2026**

ASHOK

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

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

Present:- Mr. Siddharth Gautam, Advocate for the petitioner.

Ms. Ruchi Sekhri, Addl. AG Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.579 dated 24.10.2022, under Sections 148, 149, 307, 323 IPC and Section 25 (1-B)(a) of Arms Act (Section 148, 149, 307, 323 IPC were deleted later on and Section 302 r/w Section 34 and 120-B IPC were added) registered at Police Station City Sohna, District Gurugram, Haryana.

2. The case of the prosecution is that the petitioner along with Jitendra, Dhrender and 2-3 persons came to the field of the deceased (Bijender) and Dhrender filled gunpowder in the pipe and fired it in the mouth of the Bijender while Jitendra shot the deceased in the stomach. As a result, Bijender fell in the field and was taken to the hospital and ultimately, referred to Safdarjung Hospital, Delhi where he succumbed to the injuries.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. No injury has been attributed to the petitioner. The complainant who is the sister of the

deceased has not supported the case of the prosecution and has been declared hostile. Moreover, the main co-accused Dhirender has also been granted regular bail by the Co-Ordinate Bench of this Court vide order dated 16.10.2025 passed in CRM-M-48701-2025. The petitioner is in custody for the last 03 years, 03 months and 23 days.

4. On the other hand, learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for a last 03 years, 03 months and 23 days. She further submits that out of total 36 prosecution witnesses, only 07 have been examined so far and the petitioner is involved in three more cases.

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

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that no injury has been attributed to the petitioner; the complainant has not supported the case of the prosecution; co-accused has also been granted regular bail by the Co-Ordinate Bench of this Court; though the petitioner is involved in three more cases, however in one case he is acquitted and in the other case, he is on bail; the petitioner is in custody for the last 03 years, 03 months and 23 days; out of total 36 prosecution witnesses, only 07 have been examined so far and the conclusion of trial is likely to take a long time and therefore, continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. 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 bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clairfied that if on bail so granted through the instant order, the petitioner is found indugling in any other ciriminal case it shall be open to the State to seek cancellation of his bail.

20.02.2026

Janki

(H.S.GREWAL)
JUDGE

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