

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CRM-M-71311-2025 (O&M)
Date of Decision: 19.03.2026

BHAGAT SINGH

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Ms. Kavita and Mr. Ankit Chahal,
Advocates for the petitioner.

Mr. Rakesh Kumar Jangra, AAG, Haryana.

H.S. GREWAL, J. (ORAL)

CRM-3517-2026

Allowed as prayed for.

The document Annexure P-4 is ordered to be taken on record subject to all just exceptions. Registry is directed to tag the same at appropriate place of the paper book.

MAIN CASE

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.226 dated 10.11.2025 under Sections 110, 118(1) and 351(2) of the BNS, 2023 registered at Police Station Nathu Sarai Chopta, District Sirsa.

2. The case of the prosecution is that the petitioner hit the complainant with an iron gandasi on his head, however, the complainant survived. The petitioner

was nominated in the present case for having caused injuries to the complainant with intention of committing culpable homicide. The injury on the person of the complainant is an incised wound of 9 X 1 cm. on the left parietal region.

3. Learned Counsel for the petitioner contends that the version of the prosecution is not believable because according to the complainant, he was hit by an iron gandasi whereas the son of the complainant namely, Akshay has stated before the police that his father (the complainant) was hit by a *Hukka*. Even the said iron gandasi has also not been recovered; rather a *Hukka* has been recovered from the petitioner. He further submits that the genesis of the occurrence has been changed due to change of weapon. It is further submitted that the petitioner is in custody for the last 04 months and 07 days. He further submits that although the petitioner is involved in three more cases, however, he has already been released on bail in all those cases. He further contends that the trial of the case is yet to commence and as such, the same will take a long time to conclude. He thus prays that the petitioner be granted the concession of regular bail.

4. Learned State Counsel files reply on behalf of the State and vehemently opposes 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 very serious in nature and the petitioner has actively participated in the alleged offence. He further submits that the petitioner is habitual offender as he is involved in three other criminal cases 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.

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

6. 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 04 months and 07 days coupled with the fact that the trial of the case is yet to commence and is likely take a long time to conclude as well as the ambiguous version of the prosecution, 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.

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

8. 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.

9. 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