

2026:PHHC:022088



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

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CRM-M-71952-2025
Date of Decision: 12.02.2026

PARDEEP KUMAR

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Dr. Pankaj Nanhera, Sr. Advocate with
Mr. Navneet Sharma, Mr. Sachin Jansra and
Mr. Abhijyant Godara, 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.88 dated 12.02.2025 under Sections 190, 191(3) and 103(1) of BNS, 2023 registered at Police Station Ladwa, District Kurukshetra.

2. The case of the prosecution is that the deceased had received multiple injuries at the hands of petitioner and his co-accused. A wooden stick (*danda*) was recovered from the petitioner.

3. Learned Senior Counsel for the petitioner contends that the deceased had trespassed the house of the petitioner and was misbehaving with his niece. An FIR was also registered against the deceased in this regard. It is further contended that the petitioner has been facing trial before the trial Court and out of 22 prosecution witnesses only 03 have been examined till date including the complainant and two private witnesses. He further contends that none of them has supported the case of the prosecution. It is also contended that the petitioner is in custody for the last 11 months and 23 days.

4. Notice of motion.

5. Mr. Rakesh Kumar Jangra, AAG, Haryana accepts notice and vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the present petitioner in the commission of the alleged offence are serious. Hence, he prays for dismissal of the present petition. Custody certificate filed by the State Counsel is taken on record. As per the said certificate, the petitioner is in custody for the last 11 months and 23 days.

6. I have heard the 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 11 months and 23 days, this Court is of the opinion that the petitioner deserves the concession of regular bail. 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.

FEBRUARY 12, 2026.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No