

2026:PHHC:029559



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

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CRM-M-72730-2025
Date of Decision: 24.02.2026

JAGDISH SINGH @ JAGGI

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

Mr. Rakesh Kumar Jangra, AAG, Haryana.

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.252 dated 25.07.2023 under Sections 302/34 of IPC and Section 25 of Arms Act, 1959 registered at Police Station Sarai Khawaja, District Faridabad.

2. The case of the prosecution is that the co-accused of the petitioner had fired a gunshot at the deceased namely Ravi Khatana while the petitioner had no role to play, however, he has been stated to be present at the spot.

3. Learned Counsel for the petitioner contends that the no overt act has been attributed to the petitioner. It is further stated that the complainant has been examined before the trial Court as PW1 and has also not attributed any role to the petitioner. It is further contended that the petitioner has been facing trial before the trial Court since 2023 and out of 25 prosecution witnesses only 10 have been examined till date. He further submits that the petitioner is in custody for the last 02 years, 06 months and 28 days.

4. Learned State Counsel 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 very 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 02 years, 06 months and 28 days.

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 02 years, 06 months and 28 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.

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. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

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.

FEBRUARY 24, 2026.

Rajender

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

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No