

133 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH



CRM-M-73302-2025 (O&M)
Date of Decision: 23.03.2026

SANDEEP ... PETITIONER
VERSUS
STATE OF HARYANA ... RESPONDENT

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

Present:- Mr. M.S.Lamba, Advocate for the petitioner.
Mr. Rakesh Kumar Jangra, A.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

CRM-801-2026

This is an application under Section 528 read with Section 483 of BNSS to place on record the amended petition.

Application is allowed.

The amended petition is taken on record, subject to all just exceptions.

Registry is directed to tag the same at the appropriate place.

Main case

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.761 dated 18.10.2025 registered under Sections 110, 115, 117(2), 190, 191(2), 351(3), 3(5) of BNS at Police Station Azad Nagar, District Hisar.

2. The case of the prosecution is that on 16.10.2025 a verbal altercation took place between the complainant party and the petitioner. The allegations against the petitioner are that he along with the co-accused attacked the complainant with iron pipe. The injury attributed to the petitioner is stated to

be grievous in nature.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The co-accused of the petitioner has already been granted the concession of bail by the learned trial Court. He further submits that the petitioner is in custody for the last 05 months and 01 day and is not involved in any other case. He, thus, prays for grant of bail to the petitioner.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 05 months and 01 day.

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 the co-accused of the petitioner has already been granted the concession of bail by the learned trial Court; the petitioner is in custody for the last 05 months and 01 day; he is not involved in any other case; charges are yet to be framed; the conclusion of trial is likely to take time and 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. Moreover, *'bail is rule and jail is exception'*.

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. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.
9. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

23.03.2026
Janki

(H.S.GREWAL)
JUDGE

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