

2026.PHHC.005442



CRM-M-226-2026

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

226

CRM-M-226-2026 (O & M)

Date of decision: 16.01.2026

ABDUL HAMID

....Petitioner

Versus

STATE OF UT CHANDIGARH

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Astik Vaid and Mr. Abhay Bhardwaj, Advocates,
for the petitioner.

Mr. Munish Bansal, P.P. U.T. Chandigarh and
Mr. Dixit Bhardwaj, Advocate.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 of BNSS is for grant of regular bail to the petitioner in case FIR No.123 dated 09.10.2024, registered at Police Station Manimajra, Chandigarh, under Sections 3(5), 3(1), 61, 109, 115, 118 and 103(1) of BNS.

2. Learned counsel contends that the petitioner has been in custody for 1 year and more than 3 months. He alleges false implication. As per the allegations, he has been attributed only *lalkara*. The fatal injury to the deceased has been attributed to co-accused, Sameer. Co-accused, namely, Raveena alias Ruby has since been granted bail. Charges were framed on 31.01.2025, 6 PWs, including 3 material witnesses, stand examined and 1 given up out of 38. He is not involved in any other case.

CRM-M-226-2026

3. The custody certificate dated 15.01.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 1 year, 3 months and 6 days.

4. Learned PP, U.T. Chandigarh opposes the bail on the ground that there are specific allegations against the petitioner of having raised *lalkara* and caught hold of the deceased. However, he is unable to controvert the submissions with regard to stage of the case; the petitioner being not involved in any other case and the co-accused having been released on bail.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 1 year, 3 months and 6 days; not involved in any other case; co-accused is on bail; charges stand framed on 31.01.2025, 6 PWs have been examined, but there are 31 more to go; the trial is likely to take a considerable time and further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.

CRM-M-226-2026

- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse her liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, she seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

16.01.2026

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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