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CRM-M-20306-2026

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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Date of decision: 13.05.2026

SHAHID ALIAS POLO ALIAS SAHID

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Sarfaraz Anjum Mor, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

RUPINDERJIT CHAHAL, J. (ORAL)

1. This is 2nd petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 (for short-‘BNSS’) seeking grant of regular bail to the petitioner in case FIR No.426, dated 06.10.2015, registered under Sections 186, 307, 353, 279, 336 of IPC and Section 25/54/59 of Arms Act registered at Police Station Dharuhera, District Rewari, Haryana.

2. Brief facts of the case are that, on the basis of secret information, a police party headed by ASI Madan Lal signalled the driver of a pick-up truck to stop. However, the driver sped away and hit the barricades. Five to six persons sitting in the vehicle pelted stones at the police party, and one of them fired from a pistol with the intention to kill them. However, the persons travelling in the pick-up truck succeeded in fleeing from the spot, leaving the vehicle behind, in which six cows were found loaded. One co-accused was apprehended by the crowd gathered at



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the spot, while another accused, namely Arif, was found hiding behind the bushes. Hence, the present FIR.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he has no connection with the alleged incident. It has also been contended that the petitioner was nominated as an accused only on the basis of the disclosure statement made by co-accused. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of co-accused during his custodial interrogation is not admissible in evidence. Nothing is to be recovered from the petitioner. He further submits that the petitioner is in custody since 01.03.2025. The investigation in the case is complete; challan stands presented; charges have been framed, out of 32 prosecution witnesses none has been examined and as such trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has vehemently opposed the prayer for grant of bail and submitted that the offence committed by the petitioner is serious in nature. She submitted that the incident pertains to the year 2015 and that the petitioner was declared a proclaimed offender in the year 2016. She further submitted that the petitioner remained absconding till 2025 and was arrested only through a production warrant while he was in custody in another case. She argued that the petitioner is involved in 35 other cases, which shows that he is a habitual offender. Apart from this, he has also been declared a proclaimed offender in four other FIRs. She further submitted that



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if the petitioner is enlarged on bail, he may again flee from justice. Hence, she prayed that the present petition be dismissed.

5. After hearing learned counsel for the parties and perusing the record, this Court does not find any ground to grant the concession of regular bail to the petitioner. The allegations against the petitioner are serious in nature. As per the prosecution case, the accused persons, while fleeing from the police party, not only hit the barricades but also pelted stones and fired from a pistol with the intention to kill the police officials. The record further reveals that the petitioner was declared a proclaimed offender in the year 2016 and remained absconding for almost nine years. He was ultimately arrested only through a production warrant while he was already in custody in another case. Apart from the present case, the petitioner is stated to be involved in 35 other criminal cases and has also been declared a proclaimed offender in four other FIRs, which prima facie shows his criminal antecedents and habitual nature. In such circumstances, the apprehension expressed by the State that, in case the petitioner is enlarged on bail, he may again abscond or misuse the concession of bail, cannot be said to be unfounded. Moreover, the present petition has been filed by the petitioner seeking bail mainly on the ground of his prolonged custody. It is trite law that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made by the Hon'ble Supreme Court in *Kalyan Chandra Sarkar v. Rajesh Ranjan @ Pappu Yadav*, 2004 AIR(SC) 1866, *Chenna Boyanna Krishna*



Yadav v. State of Maharashtra, (2007) 1 SCC 242 and State through CBI v. Amaramani Tripathi, 2005 (4) RCR (Criminal) 280(SC).

6. Considering the gravity and nature of the allegations, the criminal antecedents of the petitioner, and the likelihood of his fleeing from justice, this Court is not inclined to extend the concession of regular bail to the petitioner. Accordingly, the present petition is dismissed.

13.05.2026

Mohit Bishnoi

(RUPINDERJIT CHAHAL)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No