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

(219-2)

CRM-M-46186-2026 (O&M)

Date of Decision:- 09.09.2026

NARESH KUMAR

.....Petitioner

Versus

STATE OF HARYANA

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Mukesh RAo, Advocate and
Mr. Shubham Aneja, Advocate
for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition has been filed seeking grant of regular bail to the petitioner in case FIR No. 88 dated 24.02.2025, under Sections 126, 140(3), 309(4), 309(6) of BNS (corresponding Sections 341, 365, 392 and 394 of IPC), registered at Police Station Camp Palwal, District Palwal in which final report under Section 173 Cr.P.C. (Section 193 BNSS) dated 20.05.2025 was presented under Section 126(2), 127(2), 140(3), 309(4), 309(6), 115(2), 118(1), 109(1), 103(2), 117(4), 238, 61(2) and 3(5) of BNS, (corresponding Sections 341, 342, 365, 392, 394, 323, 324, 307, 302, 325, 201, 120-B and 34 of IPC and Section 27 of Arms Act.

2. Learned counsel for the petitioner submits that the petitioner have been falsely implicated in the present FIR and that, out of 46



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prosecution witnesses, 03 witnesses have been examined. However, the material witnesses have turned hostile. It is also argued that the trial is not likely to be concluded in the near future and that the continued incarceration of the petitioner would cause great hardship.

3. *Per contra*, learned State counsel has filed the custody certificate as well as the status report by way of an affidavit of Mr. Narender Singh, HPS, Deputy Superintendent of Police, Palwal, District Palwal, on behalf of the respondent-State, which are taken on record. Learned State counsel has opposed the grant of any concession to the petitioner, however, he could not deny the period of custody already undergone by the petitioner i.e. 01 year 06 months and 07 days.

4. In light of the above and considering the fact that petitioner has been in custody since 04.03.2025, and that he has clean antecedents, coupled with the fact that the trial is likely to take considerable time, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the petitioner is held entitled to the concession of regular bail.

5. Without commenting upon the merits of the case, the present petitions stand allowed and the petitioner is ordered to be released on bail, if not required in any other case, on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. The petitioner shall, however, be released subject to the following conditions:

- i The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will



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be available in his absence.

- iii The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case the petitioner does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

6. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

7. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

8. Pending application(s), if any, stands disposed of.

September 09, 2026

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Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No

(ALOK JAIN)
JUDGE