

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:096120



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CRM-M-25313-2025 (O&M)

Date of decision:14.07.2026

Sandeep @ Meenu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vinod Ghai, Senior Advocate with
Mr. Arnav Ghai, Advocate and
Mr. Jeevanjot S. Kang, Advocate for the petitioner.

Mr. Apoorv Garg, Additional Advocate General, Haryana.

Mr. Sukesh Kumar Jindal, Advocate,
Ms. Sonia Bohat, Advocate and
Mr. Lalit Goel, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.73, dated 04.03.2024, registered under Sections 302 and 34 of IPC (offence under Section 34 IPC was deleted and Sections 27 and 30 of the Arms Act were added lateron and thereafter offence under Section 25 of the Arms act was deleted), at Police Station Israna, District Panipat.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by complainant – Om Parkash, alleging therein that on 03.03.2024, the petitioner accompanied by his brothers Deepak and Dalel @

Pradeep @ Kala came to his house and started using abusive language. They told the complainant to take his son Jitender out of the house and they would see him. The petitioner was armed with a revolver. The complainant told him that Jitender was not present in the house and asked the reason for calling him but the petitioner and his brothers left his house. The complainant followed them. His son Jitender was sitting in the *baithak* of his neighbourer Balwan. The petitioner and his brothers went there and started a scuffle with his son. Accused Deepak and Dalel made an exhortation to kill him and then the petitioner fired a shot with his revolver on the chest of his son and then they fled away. The injured was declared to be brought dead when taken to the hospital.

3. As per further allegations, after registration of the FIR, investigation proceedings were conducted. The petitioner was arrested on 05.03.2024. He suffered disclosure statement admitting his involvement in the crime and got recovered his licensed pistol .32 bore alongwith two live cartridges, one licensed 315 bore rifle along with 13 live cartridges as well as his arm license and vehicle used in the crime. The same were taken into possession by the police. Other persons named in the FIR were found to be innocent. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of 01 day in reporting the matter to the police which has not been satisfactorily explained. The statements of eye witnesses as recorded under Section 161 Cr.P.C. are contradictory to the prosecution version. The co-accused, who are his brothers had been found to be innocent but they have now been summoned

under Section 319 Cr.P.C. He is in custody since long. A *de novo* trial has started and the chances of conclusion of the same in near future are bleak. The genesis of occurrence has been suppressed. Only one prosecution witness has been examined so far. He has been suffering from serious ailments and has not been given proper treatment. His further incarceration is not going to serve any fruitful purpose. There is nothing on record to show that he had any motive to kill the victim at the most a case under Section 304 IPC has been made out against him. He was under the influence of liquor at the time of occurrence. The shot was not fired by him with any premeditative mind and the occurrence had taken place all of a sudden. His antecedents are clean. It is, therefore, argued that he deserves to be released on bail.

5. Per contra, learned State counsel assisted by learned counsel for the complainant has argued the allegations against the petitioner are quite grave in nature. He is the main assailant in the occurrence. As per the FSL report, the bullet received from the dead body of the victim had been fired from the licensed weapon of the petitioner. It is further argued that the delay is on account of the fact that the trial has been ordered to be stayed by this Court in a petition filed by co-accused. However, there is nothing on record to show that there would be any undue delay in conclusion of the same. It is, therefore, argued that the petitioner does not deserve to be released on bail.

6. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

7. The petitioner is alleged to have fired a shot with a revolver upon the victim, thereby causing his instantaneous death. The allegations

against him are quite serious in nature. It is a case of direct eye witnessed account. The complainant stands partly examined and his cross-examination was deferred as an application under Section 319 Cr.P.C. was filed, which already stands allowed. Undisputedly, substantial number of witnesses are yet to be examined. However, while length of incarceration is a factor that weighs with the Court in considering bail, it cannot overshadow the gravity of the accusations of murder under Section 302 IPC. It is well-settled proposition of law that grant of bail is a discretionary relief to be granted or denied based on specific facts and circumstance of each case and there cannot be any exhaustive parameters set out for considering the application for grant of bail. The factors such as nature of accusations, severity of punishment if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. That apart, reasonable apprehension of tampering with evidence or threatening the material witnesses is also to be weighed. Frivolity of prosecution should always be considered, and it is only the element of genuineness that has to be considered in the matter of grant of bail. It is also well settled proposition of law that mere prolonged period of custody is not sufficient ground for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made in *Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC)*, *Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242* and *State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)*.

8. In the light of the foregoing legal principles and other circumstances as discussed above, this Court finds no compelling ground to

allow this petition. Accordingly, the petition is dismissed.

9. It is clarified that any observation made in this order is only for deciding this petition and shall not influence the outcome of the trial and also not be taken as an expression of opinion on merits.

10. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

14.07.2026

harjeet

(MANISHA BATRA)
JUDGE

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