



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 3869 of 2024 (O&M)

Date of Decision: 10.12.2024

Rakesh Kumar

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present : Mr. Gurveer Singh Sidhu, Advocate, for the petitioner.
Mr. Deepak Balyan, Addl. Advocate General, Haryana.

SHEEL NAGU, CHIEF JUSTICE (Oral)

This is the first application filed by the petitioner for grant of regular bail in case FIR No. 256 dated 12.07.2022 under Sections 346 of the Indian Penal Code (Sections 201, 302 read with Section 34 IPC added later on) registered at Police Station Nissing, District Karnal, where the allegation of murder is alleged against the petitioner as the dead body of the deceased was found in Bhakra canal. The post-mortem report did not disclose any injury on the dead body and the cause of death appears to be drowning.

2. The allegation against the petitioner is that he was having an affair with the wife of the deceased and therefore, he may have been instrumental in eliminating the deceased.

3. It is informed by learned State counsel that out of 15 enlisted prosecution witnesses, 11 witnesses have been examined which include all the principal prosecution witnesses.



4. The petitioner has suffered custody of about 2½ years and therefore, on the ground of prejudice due to delayed trial and also in the absence of any criminal antecedents, this Court extends the benefit of regular bail to the petitioner subject to his furnishing bail bonds for a sum of Rs.1,00,000/- with two sureties of the like amount each to the satisfaction of the trial Court/Duty Magistrate.
5. It is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.
6. This order shall also remain subject to the following condition:-
- i) The petitioner shall plant 10 saplings of indigenous plants at a public place and submit proof in that regard by way of photographs before the concerned trial Court where the trial is pending within a period of 15 days and if there is no such intimation submitted or intimation is found to be incorrect, then the State can move an application for cancellation of his bail.
7. The petition stands allowed.

(SHEEL NAGU)
CHIEF JUSTICE

10.12.2024

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Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√