



In the High Court for the States of Punjab and Haryana
At Chandigarh

- I)

CRM-M-8841-2024 (O&M)

Monu @ Kalua

... Petitioner

Versus

State of Haryana

...Respondent
- II)

CRM-M-12855-2024 (O&M)

Monu

... Petitioner

Versus

State of Haryana

... Respondent
- III)

CRM-M-18087-2024 (O&M)

Badal Gandhi

... Petitioner

Versus

State of Haryana

... Respondent

Date of Decision:-29.8.2024

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Siddarth, Advocate for the petitioner(s),
in CRM-M-8841-2024 & in CRM-M-12855-2024.

Mr. Divij Datt, Advocate with
Ms. Brea Sandhu, Advocate and
Mr. Neeraj Kumar, Advocate,
for the petitioner in CRM-M-18087-2024.

Mr. Vishal Kashyap, DAG, Haryana,
assisted by PSI Deepak.



CRM-M-8841-2024 (O&M)
CRM-M-12855-2024 (O&M) &
CRM-M-18087-2024 (O&M) (2)

FIR No.	Dated	Police Station	Section/s
195	17.4.2022	Kheripul, Faridabad	147, 149, 323, 302, 506 of Indian Penal Code

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned three petitions filed on behalf of petitioners - Monu @ Kalua, Monu and Badal Gandhi seeking grant of regular bail in respect of abovementioned FIR.
2. The FIR was lodged at the instance of Ram Naresh, wherein he alleged that on 9.4.2022 his son had gone to Parshuram Chowk, where he was attacked by Badal, Monu and by their friends, who gave beatings to him and also smashed a beer bottle on his head and which led to death of his son.
3. Learned counsel representing the petitioner(s) submitted that the petitioners came to be nominated falsely and that when complainant - Ram Naresh was examined by the Trial Court during the proceedings of trial he absolutely resiled from his statement. It has further been submitted that even the mother of the deceased, when examined during the course of trial, did not support the case of the prosecution.
4. Opposing the petitions, learned State counsel submitted that it is a case where the accused have apparently been able to win over the complainant and other eye-witnesses and that the prosecution has collected sufficient evidence to establish the complicity of the petitioners. Learned State counsel has, however, informed that as on date the petitioners have been behind bars since the last about 2 years and 4 months. It has also been informed that while the petitioners Monu @ Kalua son of Chander Pal and Monu son of Samay Singh



CRM-M-8841-2024 (O&M)
CRM-M-12855-2024 (O&M) &
CRM-M-18087-2024 (O&M) (3)

stand involved in one more case, petitioner - Badal Gandhi is not involved in any other case. It has been informed that as on date 2 PWs out of the cited 29 PWs have been examined.

- 5. This Court has considered the rival submissions addressed before this Court.
- 6. Learned State counsel has not disputed that the eye-witnesses have not supported the case of the prosecution and have turned hostile. The petitioners have been behind bars for a substantial period of more than 2 years and 4 months. Conclusion of trial is likely to consume time inasmuch as only 2 PWs out of the cited 29 PWs have been examined so far. Under these circumstances, further detention of the petitioners will not serve any useful purpose.
- 7. All the three petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
- 8. A copy of this order be placed on the file of connected case.

29.8.2024
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No