



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.27299 of 2024  
Date of decision: 22<sup>nd</sup> July, 2024

Rahul @ Nali

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Shivansh Malik, Advocate for the petitioner.  
Mr. Gagandeep S. Chhina, Asst. Advocate General, Haryana  
for the respondent/State.

**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.257 dated 08.06.2021 under Sections 148, 149, 302, 323, 324 of the IPC (Sections 323, 324 IPC added later on) registered at Police Station Old Subji Mandi, District Rohtak.

2. At the outset, learned State counsel, on instructions, has submitted that trial is nearing conclusion as only 7 prosecution witnesses out of the 28 cited remain to be examined. It has further been submitted by the learned State counsel that a perusal of the FIR, which has been annexed as Annexure P-1, clearly reveals that the prosecution case was set into motion at the instance of the complainant (father of the deceased), who allegedly witnessed the occurrence in question; the petitioner and the co-accused were categorically named in the FIR and there are specific attributions against the accused including the petitioner; it is the petitioner who inflicted fatal injuries on the abdomen of the



deceased with a knife. It has been further submitted by the learned State counsel that all the material witnesses including the two stamped witnesses Vishal and Farul, during their deposition, had supported the case of the prosecution in its entirety.

3. Learned counsel for the petitioner, on the other hand, has however, submitted that a perusal of the testimony of the complainant i.e. the alleged eye-witness, clearly reveals that on being confronted with the CCTV footage of the place of occurrence, he had not disputed that the deceased had inflicted injuries with a stick on the person of the petitioner. Learned counsel submits that it was evident that the injuries which had thus been inflicted upon the deceased allegedly by the petitioner, were in self-defence.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The material witnesses already stand examined and the documentary evidence in the shape of CCTV footage is already before the trial Court, hence, whether or not it is a case of the petitioner inflicting injuries upon the deceased in self-defence, would be a matter to be appreciated during trial. This Court cannot delve into the same at this stage. In the facts and circumstances, as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner. The petition as such is dismissed. However, 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. Since the petitioner has been in custody for more than 3 years, having been arrested on 09.06.2021, and only formal witnesses remain to be examined, the trial Court shall make earnest efforts to conclude the trial expeditiously, preferably within a period of next four months.

(MANJARI NEHRU KAUL)  
JUDGE

July 22, 2024  
*rps*

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |