

1) **CRM-M-263-2025**
Date of decision: 08.12.2025

VERSUS

2) CRM-M-20829-2025

VERSUS

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J. (ORAL)

1. In the above mentioned petitions common question of law and facts are involved, so both the petitions are being disposed of by a common judgment. For brevity, facts are being taken from CRM-M263-2025 titled as “*Satbir Versus State of Haryana.*”

2. Petitioner(s) have approached by way of filing the present petition praying for grant of regular bail in case bearing FIR No.244 dated 04.07.2024 under Sections 108, 308(2), 140(3), 127(3), 115(2) of BNS, 2023, registered at Police Station City Sadar Jind, District Jind.

Succinctly the facts of the case is that the FIR in the present case was



lodged on the statement of Kuldeep-complainant wherein it was alleged that his father, namely, Raj Kumar was 62 years of age who was in the business of sale and purchase of buffaloes. His father used to tell him that some persons were harassing him on the pretext of demanding money. Though, he has paid the amount to some of them and all of them had forcibly executed an agreement to sell of 04 Kanal 5 Marlas of land. It was alleged that Balwan (petitioner) and Parbhu were helping them. On account of the same, his father used to remain upset. Being fed up with their harassment, his father consumed poison and committed suicide. The request was made to take legal action against the petitioner(s). FIR was registered and investigation commenced. On completion of investigation, challan was presented and charge were framed. Petitioner(s) were arrested on 09.11.2024 and 11.11.2024. They approached the learned Additional Sessions Judge, Sonapat for grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Jind declined the bail applications vide orders dated 19.11.2024 and 05.03.2025. This Court vide orders dated 28.11.2024 and 02.04.2025 had granted interim bail to the co-accused. Aggrieved by the same, petitioner(s) are before this Court praying for the grant of bail by way of filing the present petitions.

4. Learned counsel for the petitioner(s) have vehemently contended that petitioner(s) have been falsely implicated in the present case. They further submits that from the bare perusal of the allegations made, it is apparent that no offence under Section 108 read with Section 45 of BNS is made out. They further submit that petitioner(s) are behind bars since 09.11.2024 and 11.11.2024. They further submit that the petitioner, namely, Satbir has no criminal antecedents. However, petitioner, namely, Balwan is involved in two



more cases. They further submit that petitioner(s) never misused the concession of interim bail granted to them. They further submit that in the facts and circumstances, the petitioner(s) deserve to be granted regular bail.

5. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner was specifically named in the FIR on the basis of the allegations made. During the investigation, their complicity has been *prima facie* proved. The offence under Section 108 read with Section 45 of BNS is made out as the petitioner(s) have instigated the father of the complainant which resulted into his death. He has produced custody certificate of the petitioner(s) today in the Court and the same are taken on record.

6. Heard.

7. On hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner(s) alleged to have been instigated the father of the complainant which resulted into his death, however, the same is matter of trial. Custody certificates produced would show that the petitioner, namely, Satbir has completed incarceration of 03 months and 17 days and he is not involved in any other case. However, petitioner, namely, Balwan has completed incarceration of 05 months and 20 days and he is involved in two more cases, however, he is on bail in those cases.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time.

9. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner(s) succeed in



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making out a case for grant of regular bail. Accordingly, the present petitions are allowed. Petitioner(s) are ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

08.12.2025
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(RAJESH BHARDWAJ)
JUDGE

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