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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-1147-2025**Date of Decision:13.05.2025**

RAMESH CHAND

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present :- Mr. Lohit Kumar Bimal, Advocate,
Mr. Suhit Jain, Advocate &
Mr. Raghav Bimal, Advocate
for the petitioner.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana.

Mr. Bharat Pilonia, Advocate for
Mr. Abhijeet Sharma, Advocate &
Mr. Parveen, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 of Cr.P.C. with a prayer to grant regular bail to him in case FIR No.313 dated 07.10.2022, registered under Sections 302 IPC, 1860 and later on added Sections 201, 323, 506, 34 IPC 1860 (Section 120-B IPC has been deleted, Police Station HSIIDC Barhi, District Sonapat.

2. Learned counsel for the petitioner submits that the FIR in the present case was registered on the basis of the statement made by Rajesh son of



Bheem Singh, who alleged that during an altercation with the neighbours, his wife Geeta fell unconscious and he got her admitted in Saxena Hospital, Sonapat, where she died during treatment. He further contends that the petitioner, who is the neighbour of the complainant, was neither named in the FIR nor any other allegations were levelled against him in the FIR. Later on, Krishan, brother-in-law of Geeta moved a complaint to the police on 07.10.2022 i.e. 02 days after the occurrence and specific roles were assigned to all the family members of the petitioner. He further contends that there was a civil dispute pending between the parties regarding a plot and due to the previous enmity, the petitioner and his family members have been falsely involved by the complainant. Learned counsel further contends that the petitioner was arrested in the present case on 03.11.2022 and is in custody for the last more than 02 years and 06 months. By referring to the order Annexure P-3 passed by this Court in CRM-M-41729-2024, learned counsel submits that Jai Shree, wife of the petitioner has been granted the concession the bail by this Court.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had also assaulted Geeta, since deceased and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record carefully.



5. In the present case, the petitioner was not initially named by the complainant and the allegations were levelled against unknown neighbours. However, during the course of investigation, the petitioner and other family members were named as assailants in the present case. The petitioner has already undergone two years and 06 months of the custody and the prosecution evidence has just begun and only two prosecution witnesses out of 24 witnesses have been partly examined. Now the prosecution has moved an application under Section 319 Cr.P.C. and there are no chances of early conclusion of the trial. Moreover, Jai Shree, wife of the petitioner has already been admitted to bail, who is also similarly placed. Thus, the further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

13.05.2025
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(N.S. SHEKHAWAT)
JUDGE

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