



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

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CRM-M-4609-2025

Date of decision: 29th July, 2025

Rahul

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Mukul, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

Mr. Kunal Dawar, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 175 dated 11.04.2023 registered under Sections 302, 307, 148, 149, 323 and 506 of IPC and Section 25 of Arms Act, 1959 at Police Station Kheripul, Faridabad.

2. The aforementioned FIR was registered on the basis of complaint submitted by the complainant Tulle Ram alleging that on the evening of 11.04.2023, the co-accused Vidya and Narender, who were living in his neighbourhood had called bad names to his wife and himself. Thereafter, they along with the petitioner and other co-accused had opened an assault upon them and had caused injuries to his son and wife. The



petitioner had extended beatings to all of them along with the co-accused. His wife and son had been taken to hospital but his son had succumbed to the injuries and had died. After registration of FIR, investigation proceedings were initiated. Post-mortem examination of dead body of the victim Yad Ram and inquest proceedings were also conducted. The petitioner was arrested on 15.04.2023. Other co-accused were also arrested. They suffered disclosure statements admitting their involvement in the crime. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody for a long time. No specific injury on the person of the deceased Yad Ram, has been attributed to him. The injuries on the person of injured Tulle Ram have been attributed to the co-accused and not to him. He had sustained simple injuries. It is a case of version and cross-version. The members of his party had also sustained injuries in the same incident. A criminal complaint has also been filed on their behalf. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, submitted that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned State counsel that there are serious and specific allegations against the petitioner and it is urged that keeping in view the gravity of the allegations, he does not deserve to be extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable



length and have gone through the record carefully.

6. The petitioner is alleged to have formed the membership of an unlawful assembly with the co-accused and in prosecution of the common object of that assembly, he is alleged to have assaulted the victims. The victim Yad Ram succumbed to his injuries sustained in the occurrence and died. The victim Omwati had sustained injuries which were declared to be dangerous in nature. PW-3 Omwati has been examined before the learned trial Court and has supported the prosecution version. It cannot be stated that there will be any undue delay in conclusion of the trial. It is well settled proposition of law that prolonged incarceration in heinous crimes like murder cannot be considered to be a ground for release of accused on bail. Keeping in view the gravity of the allegations as levelled against the petitioner, quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment upon the merits thereof, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

29th July, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*