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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-4885-2025  
Date of decision: 03.02.2025

RAMESH

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Mukesh Yadav, Advocate and  
Mr. Aman Arora, Advocate  
for the petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

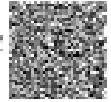
Mr. Devender Kumar, Advocate  
for the complainant.

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**JASGURPREET SINGH PURI, J. (Oral)**

1. The present petition has been filed under Section 483 of the BNSS, 2023 for the grant of regular bail to the petitioner in FIR No.638 dated 08.12.2019, under Sections 148, 149, 323, 498-A of the IPC (Sections 307 and 302 of the IPC added later on), registered at Police Station Hodal, District Palwal, Haryana.

2. Learned counsel for the petitioner submitted that the petitioner is in custody from 5 years and 1 month and 12 prosecution witnesses out of total cited 28 prosecution witnesses have been examined including all the material witnesses, although they have supported the prosecution version. He further



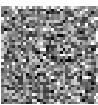
submitted that the allegations as per the FIR against the petitioner were that he alongwith two other co-accused had inflicted injuries upon the deceased, namely, Bhagwan Sahai and one Bhagat Singh was also injured. He further submitted that it is a case where as per the allegations, the deceased was admitted in the hospital on 01.12.2019 and thereafter, he was properly treated and was discharged on 03.12.2019, although he left against the medical advice and thereafter, he died on 30.12.2019 because of cardiac arrest. He further submitted that all the material witnesses have already been examined and the petitioner has been falsely implicated in the present case and considering the aforesaid long custody of the petitioner, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Ayuwan Singh, AAG, Haryana submitted that it is a case where direct role has been attributed to the petitioner and considering the seriousness of the offence, he may not be considered for the grant of regular bail. He further submitted that the petitioner has clean antecedents and he is not involved in any other case.

4. Learned counsel for the complainant has opposed the grant of regular bail to the petitioner on the ground that petitioner had inflicted iron rod blows on the head of the deceased and had active role to play in the offence and therefore, he is not entitled for grant of regular bail, although all the material witnesses have been examined.

5. I have heard the learned counsels for the parties.

6. It is a case where the petitioner is in custody from 5 years and 1 month and as per the learned counsels for the parties, all the material witnesses



stand examined. Although learned counsel for the petitioner has stated that the deceased had died not because of the injuries but because of the cardiac arrest and also the petitioner has been falsely implicated in the present case but this Court would not go into the merits of the aforesaid arguments raised by the learned counsel for the petitioner but solely for the purpose of considering the grant of regular bail to the petitioner, this Court will consider the total custody of the petitioner, which is stated to be 5 years and 1 month. It has also been stated by the learned State counsel that the petitioner has clean antecedents and he is not involved in any other case. Therefore, solely on the basis of long custody of the petitioner as aforesaid, this Court is of the considered view that the petitioner deserves the concession of regular bail.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

03.02.2025  
Chetan Thakur

(JASGURPREET SINGH PURI)  
JUDGE

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