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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6951-2025
Decided on : 12.03.2025

Vikram

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Aditya Sanghi, Advocate
for the petitioner(s).

Ms. Mayuri Lakhanpal, DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Vikram	255	16.04.2020	193, 201, 302, 325, 218, 466, 120-B of IPC and Section 25 of the Arms Act (charges framed by learned trial Court on dated 25.09.2024, u/s 120-B, 302, 193, 201, 217, 218, 116, 466 of IPC)	City Hisar	Hisar

2. In the present regular bail petition, on 11.02.2025, following order was passed:-

“1. The instant petition has been filed under Section 483 of BNSS, 2023, for grant of regular bail to the petitioner – Vikram, who has been booked for having committed the offence punishable under Sections 193, 201, 302, 325, 218, 466, 120-B of IPC and Section 25 of the Arms Act (charges framed by learned Trial Court on dated 25.09.2024, u /s 120-B, 302, 193, 201, 217, 218, 116, 466 of IPC), in FIR No.255, dated 16.04.2020, registered at Police Station City Hisar, Distt. Hisar, Haryana.



2. Without making much of the submissions on merits, counsel for the petitioner substantiated the plea of bail by stating that out of total 18 prosecution witnesses, only 7 have been examined so far, and 11 witnesses are yet to be examined. Petitioner is inside the jail for the last about 04 years and 09 months.

3. The learned State counsel is directed to file a comprehensive status report, detailing therein the material witnesses, who are required still to be examined. Besides, it is also noticed that, if the material witnesses have not been examined, the public prosecutor and the learned Trial Court shall ensure that said witness(s) are examined before the next date of hearing.

4. List on 12.03.2025.

Let a copy of this order be also forwarded to the trial Court concerned for compliance.”

3. Today, at the time of hearing, learned counsel for the petitioner produces copy of the status report dated 11.03.2025, prepared by learned Additional Sessions Judge, Hisar and forwarded by learned District & Sessions Judge, Hisar.

Copy of the status report is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

4. Status report dated 11.03.2025, says as under:-

“Subject: Status report in case State Vs. Vikram etc. FIR No.255 dated 16.04.2020, under Sections 193, 201, 302, 325, 218, 466, 120-B IPC and 25 of Arms Act, Police Station, City Hisar.

Re: Order dated 11.02.2025 passed in CRM-M-6951-2025 titled as Vikram Vs. State of Haryana.

Respected Sir,

I have the honour to submit that Hon’ble Punjab & Haryana High Court vide order dated 11.02.2025 was pleased to direct this Court to examine the material witnesses in the case afore-mentioned. It is humbly submitted that the prosecution has submitted a list of 49 witnesses to be examined in this case. After 11.02.2025, witnesses i.e. Dr. Nagesh Maharishi, SMO CHC Siswal, District Hisar, Sh. Gourav Nodal Officer, Reliance JIO, Mohali, Dr. S.P. Singh, Assistant Director (Serology), FSL Madhuban, Karnal, Sh. Rakesh son of Hoshiyar Singh, resident of Vijay Nagar, Rohtak, Sh. Vikas son of Sh. Ram Niwas (complainant), Ms. Pooja Vashistha SP Mahendergarh and Sh. Ganga Ram Poonia, S.P. Karnal have been examined.

It is humbly submitted that FIR in the present case was registered on 16.04.2020 with the allegation that accused Vikram had committed murder of his wife Rinku by hitting her with a Mogra/Sota/wooden club. Challan had also been submitted against the accused for the aforesaid allegations. However, the postmortem



examination report suggested fire arm injuries. Subsequently, an application for further investigation was moved by the complainant wherein, it was revealed that the murder of deceased Rinku had been committed by two fire arm injuries to her face. Again and again supplementary challans were filed by the police. Subsequently, on an application moved by the complainant, my learned Predecessor vide order dated 29.01.2024 took cognizance against ASI Ravinder, SI Vinod Kumar, DSP Kaptan Singh, Constable Kuldeep Singh and ESI Satish Kumar for commission of offences punishable under Sections 193, 201, 218, 466 & 120B IPC. After appearance of the accused and filing of amended list of witnesses, charges against the accused were framed vide Order dated 28.10.2024 and 29.10.2024. The case has remained pending since long only on account of lapses in investigation and the time taken to secure the presence of all the accused.

It is humbly submitted that every endeavour is being made to conclude the trial at the earliest. It is therefore, requested that at-least six months more time may kindly be granted for conclusion of trial as the testimonies of witnesses are long and cross-examination are also exhaustive on account of individual Advocates for each accused. Kindly do the needful and oblige.”

5. Learned counsel for the petitioner submits that material witnesses including the complainant i.e. Vikas s/o Sh. Ram Niwas, has already been examined. However, considerable time is likely to be consumed in exhausting the list of witnesses, as there are total 49 prosecution witnesses, and out of them only 14 have been examined so far.

He further submits that it is the admitted position that delay in the trial is not at the instance of the petitioner, nor there is any such allegation against him. Petitioner is inside jail since 16.04.2020 i.e. approximately, for a period of more than 04 year & 10 months. Besides, case depends upon the circumstantial evidence and other supporting evidence, as there is no direct eye-witness account.

6. On being asked by the Court, the learned State counsel also informs that no other case of any nature is found to have been registered against the petitioner.

7. Taking note of all the circumstances enumerated from the record and having been noticed from the status report dated 11.03.2025,



forwarded by the trial Court, this Court considers that liberty of a person, even if, he/she is an accused in a criminal case, cannot be curtailed for indefinite period, and thus, prayer for concession of regular bail is worth considerable.

8. Consequently, prayer made in the present petition is **allowed**.
Petitioner – Vikram, is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

March 12, 2025

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*