



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

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**CRM-M-33946-2025(O&M)
Date of Decision: September 22, 2025**

Sarajuddin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: - Mr.Namit Sharma, Advocate
for the petitioner.

Mr.Mohit Chaudhary, AAG, Haryana.

RUPINDERJIT CHAHAL, J.

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.95 dated 27.02.2023 registered under Sections 302 of the Indian Penal Code, at Police Station Gannaur, District Sonapat.
2. Brief facts of the prosecution case are that the FIR was lodged on the statement of Sonu, who alleged that he was informed that his Bua's son Jagdev was lying injured in the school. Jagdev was shifted to Khanpur



Hospital, from where he was referred to PGIMS, Rohtak. However, he succumbed to the injuries on 02.03.2023.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He contends that the FIR was lodged against unknown person/s for causing injuries to Jagdev and the petitioner was not named therein. There is no direct evidence against the petitioner to point a finger of accusation against him. He further submits that the petitioner is behind bars since 04.03.2023 and the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars since the petitioner has already suffered the agony of prolonged custody during trial. Therefore, it is urged that the petition deserves to be allowed.

4. Opposing the prayer for bail, learned counsel for the State, by referring to the status report, has contended that CDR and IPDR data of the mobile phone of the deceased was obtained. Based on the evidence, the petitioner was arrested on 04.03.2023. On his disclosure, the weapon of offence (stick), clothes worn at the time of the crime and also the mobile phone of the deceased were recovered. The place of commission of crime was also identified by the petitioner. It is further stated in the status report that during assault on the deceased, the petitioner picked his ring and purse and later concealed the same at his work place in Delhi. Learned State counsel has further submitted that out of 33 witnesses, 7 have already been examined and the trial is in progress.



5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that though the petitioner was not named in the FIR, but he has been arrested on the basis of the evidence collected during investigation. The allegations against the petitioner are quite grave and serious in nature. The weapon of offence, mobile of deceased and clothes worn by the petitioner at the time of alleged occurrence have been recovered on his disclosure only. The present petition has been filed by the petitioner seeking bail mainly on the ground of his prolonged custody. It is trite law that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made by the Hon'ble Supreme Court in ***Kalyan Chandra Sarkar v. Rajesh Ranjan @ Pappu Yadav***, 2004 AIR(SC) 1866, ***Chenna Boyanna Krishna Yadav v. State of Maharashtra***, (2007) 1 SCC 242 and ***State through CBI v. Amaramani Tripathi***, 2005 (4) RCR (Criminal) 280(SC).

6. Keeping in view the gravity of the allegations as levelled against the petitioner, recovery of weapon of offence, mobile of deceased coupled with the clothes worn by the petitioner on his disclosure, 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.

7. Accordingly, the present petition being bereft of any merit, is dismissed.

September 22, 2025

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(RUPINDERJIT CHAHAL)
JUDGE

Whether Speaking / Reasoned	Yes / No
Whether Reportable	Yes / No