



CRM-M-39541-2025

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

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CRM-M-39541-2025

Date of decision: 15th September, 2025

Karan @ Kalu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. M.S. Chauhan, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The instant petition is the second one filed by the petitioner seeking grant of regular bail in case arising out of FIR No. 621 dated 12.12.2023 registered under Sections 201 and 302 of IPC at Police Station Ambala Cantt, District Ambala, on the allegations that on the evening of 11.12.2023, the petitioner had struck blows with a sword on the person of his sister Muskan, resulting in her death. The FIR was registered on the basis of complaint lodged by the complainant Rakesh Kumar, father of victim as well as the petitioner. The petitioner was arrested on 12.12.2023 and is presently facing trial.

2. It is argued by learned counsel for the petitioner that his previous petition was dismissed on 28.01.2025, and a period of more than eight months have since elapsed. Trial is going at a slow pace as only 12 out



of 21 prosecution witnesses have been examined so far. The material witnesses have already turned hostile. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

3. Status report has been filed by the respondent-State. While refuting the contentions raised by petitioner's counsel, learned State counsel has submitted that there are serious allegations against the petitioner. His previous bail petition had been dismissed by passing a detailed order. Trial is going at a proper pace, only due to some delay in conclusion thereof, the petitioner has not become entitled to be released on bail. Therefore, it is urged that the petition does not deserve to be allowed.

4. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

5. The previous petition as filed by the petitioner had been dismissed by making the following observations:-

"6. The petitioner has placed on record copies of statements of the complainant, his wife, his son Manish Kumar and one eye-witness Rohit as recorded before the learned trial Court and on a perusal of the same, it is revealed that neither of them implicated the petitioner in the commission of offence of murder of the victim who was none other than his real sister. The complainant Rakesh Kumar and his wife PW-3 Ganga are shown to have stated that they did not know as to who had killed their daughter and that the petitioner did not do so as he was present in Sadar Bazar Market, Ambala Cantt with them at the time of the incident. PW-4 Manish Kumar, brother of the victim is also shown to have made a similar statement. It has come on record that the petitioner was a drug addict. He is the



sole accused. The victim has sustained as many as 42 injuries. Her homicidal death had occurred in her parental house. The witnesses examined by the prosecution are closely related to the petitioner also and that appears to be a reason for their not supporting the prosecution version. There is nothing on record to show that the trial is likely to take time. The mere fact that some material witnesses have not supported the prosecution case cannot be considered to be a sufficient reason to extend benefit of bail to the petitioner at this stage. Keeping in view the gravity of the allegations as levelled against him, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed at this stage. Accordingly, the same is dismissed.”

6. In the instant petition, the only new ground that has been taken by the petitioner’s counsel is that extended period of incarceration of the petitioner. The well settled proposition of law is 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 in ***Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC)***, ***Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242*** and ***State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)***. There is no substantive or specious change in the circumstances from the date of dismissal of the previous petition as filed by the petitioner. It is also well settled that there must be drastic change during the period between two applications for the



successive application to be allowed, which is not there in this case. As such, I see no ground to allow the petition. Accordingly, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

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

[MANISHA BATRA]
JUDGE

15th September, 2025

Parveen Sharma

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

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