



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

207

CRM-M-44052-2024 (O&M)
Date of decision: 22.08.2025

PARVESH KUMAR

... Petitioner

Versus

STATE OF HARYANA

.. Respondent

CORAM : HON'BLE MR. JUSTICE H.S. GREWAL

Present:- Mr. Pragyat Bhardwaj, Advocate
for the petitioner.

Mr. Tapan Masta, Addl. A.G., Haryana.

Mr. G.S. Sandhu, Advocate for the complainant.

H.S. Grewal, J. (Oral)

1. The present petition has been filed under Section 439 of Code of Criminal Procedure, seeking regular bail in FIR No.667 dated 11.10.2022 under Sections 148, 149, 302, 323 of IPC (201 IPC added later on) registered at Police Station Gharaunda, District Karnal.

2. The case of the prosecution is that on 10.10.2022 the petitioner alongwith his friends Mohan and Neeraj (since deceased) were sitting at a Dhaba eating food and drinking liquour. Behind their table, four boys were sitting and talking in a loud noise. Neeraj forbade them to talk loudly upon which they had an altercation and the four boys left. After sometime, the four boys came back and one of them hit a glass bottle on the head of the complainant and another hit a glass bottle on the head of Neeraj. However, a clash between them took place and the complainant ran towards his home to save his life. Later on, when the complainant came back to the said Dhaba again along with his father, he found his brother Manish and Neeraj lying



unconscious with injuries on head. They were taken to hospital and were declared brought dead in the hospital. Although it is a case of double murder, there is no specific role attributed to the petitioner in the said occurrence.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that the petitioner has undergone custody of 02 years, 10 months and 05 days and he is not involved in any other case. He further submits that out of 24 cited prosecution witnesses, only 04 have been examined so far.

4. Learned counsel for the State by way of filing custody certificate, vehemently opposes the grant of concession of regular bail and does not refute the fact that the petitioner has undergone custody of 02 years, 10 months and 05 days and out of 24 cited prosecution witnesses, 04 have been examined so far.

5. Learned counsel for the complainant states that material witness(es)/ eye witness(es) are yet to be examined.

6. I have heard learned counsel for the parties and have gone through the material placed on record.

7. It is stated that the material witness(es)/ eye witness(es) are yet to be examined, however, a bare perusal of the zimni orders on record reveals that the delay is on account of the complainant party who is not appearing as witness and is causing delay in the trial proceedings, as such, the trial Court had issuedailable warrants to secure their presence.

8. Keeping in view the above and the fact that the custody undergone by the petitioner is 02 years, 10 months and 05 days; the trial is moving at a slow pace; and since the conclusion of the trial is likely to take a long time, further incarceration of the petitioner would not serve the ends of justice.



Therefore this Court deems it fit to grant the concession of regular bail to the petitioner.

9. Hence, without expressing any opinion on the merits of the case, the instant petition is **allowed**. The petitioner is granted the concession of regular bail in the present case, on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/ Chief Judicial Magistrate concerned.

10. It is however, made clear that in case during his bail, if the petitioner indulges in any offence, the State shall be at liberty to file an application for cancellation of bail of the petitioner.

11. Pending applications, if any, also stand disposed of.

22nd August, 2025

Sonia Puri

(H.S. GREWAL)
JUDGE

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