



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

CRM-M-42298-2025

Date of Decision:-03.09.2025

Bhupender @ Kali.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Kuldeep Sheoran, Advocate for the Petitioner.

Mr. Vipul Sherwal, AAG Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this third petition under Section 483 BNSS is for grant of the grant of regular bail to the petitioner in case FIR No.168 dated 13.06.2020 under Sections 147, 148, 149, 302 (120-B, 201 and 212 IPC was added later on) of IPC registered at Police Station Sadar Hansi, District Hansi.

2. The present FIR came to be registered at the instance of Rajesh Kumar and reads as under:-

“ Statement of Rajesh Kumar son of Inder Singh Caste Jat resident of Kanwari aged 41 years, mobile No. 8708763300 stated that I am resident of above noted address and doing the agriculture work. We are five brothers. The eldest is Rarnphal younger to him Azad and younger to him Suresh, younger to Suresh is Naresh and I am the youngest one. My brother Suresh whose age is 48 years he was unmarried About 4 month back, Mandeep son of Dalbir, Amit son of Dalbir Caste Jat, resident of Kanwari has hot talks and they



have given beating to my brother Suresh and thereafter, the compromise was affected. After that Amit and Mandeep were threatening my brother that we will not leave you. Yesterday, 12.06.2020, my brother Suresh at about 8.30 pm, after taking meal alongwith me I was going with my brother to field. On the way Mandeep, Amit son of Dalbir, Caste Jat, Bhagta son of Rajinder, Bhupender alias Kali son of Rajinder alias Pappu and Sunil alias Lond son of Rajinder and 2-3 other boys were with them. They were under the intoxication and were holding rod and dandas and kulhari (exe) in their hands. My brother Suresh stayed in the field which are near the village and there is a farm and I went to other fields which are about 10-12 killas away and I slapped there. Today at about 6.00 am when I came to our farm, I saw that my brother dead body was lying on the caught/Charpai in the farm. There were many injuries on the head and on the feet and blood was over there. I given the information to my family members and informed the police. I have full apprehension that while sleeping in the night, Mandeep, Amit, Bhagta alias Kali, Sunil alias Lond and 2-3 other boys colluding with each other had murdered. Legal action be taken against them, you came on the spot I recorded my statement which heard, read and found correct. Sd/- Rajesh."

3. The learned Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. No injury has been attributed to him. The co-accused have been granted the concession of bail. The material witnesses have not supported the prosecution case. FIR No.389 dated 15.09.2022 under Section 174-A IPC had been registered against the petitioner as he had been declared a proclaimed offender. However, he has been acquitted in the said case. As the petitioner is in custody since 19.06.2023, but only 08 of the 33 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State on the other hand contends



that the petitioner was declared a proclaimed offender and came to be arrested only on 19.06.2023. There is every possibility that he may abscond from the Trial if he is granted the concession of bail. Therefore, the present petition is liable to be dismissed.

5. I have heard the learned counsel for the parties.
6. Undoubtedly, the co-accused of the petitioner have been granted the concession of bail. In the Trial emanating out of the FIR No. No.389 dated 15.09.2022 under Section 174-A IPC the petitioner stands acquitted. However, he was declared a proclaimed offender and came to be arrested on 19.06.2023. There is every possibility that he will abscond from the Trial if granted the concession of bail. Two earlier petitions seeking grant of bail have been withdrawn by him. There are no significant change in circumstances entitling the petitioner to the concession of bail.
7. In view of the above, I find no merit in the present petition and the same stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

September 03, 2025
Vinay

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