



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

220 CRM-M-46830-2024 (O&M)
Date of Decision: 10.01.2025

Inderpal @ Kulli ... Petitioner

Vs.

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. Deepak Bhardwaj, DAG, Haryana.

DEEPAK MANCHANDA, J.(Oral)

CRM-43663-2024
Application is allowed as prayed for.

Annexure P-7 is taken on record.

CRM-43932-2024

Application is allowed as prayed for.

Registry is directed to carry out the necessary correction in the
prayer clause of the present petition.

Main case

Petitioner has filed this third petition for grant of regular bail
under Section 439 Cr.P.C. in case FIR No. 567 dated 09.11.2021 under
Sections 302, 120-B and 34 of Indian Penal Code, 1860 registered at Police
Station City Fatehabad, District Fatehabad. First such petition bearing CRM-
M-54803-2022 was dismissed as withdrawn vide order dated 21.03.2023 and
second petition bearing CRM-M-48093-2023 was dismissed on merits vide



order dated 02.11.2023.

2. It is the case of the prosecution that on 09.11.2021, complainant Vinod Kumar (brother of deceased) received information from persons of his colony that one young boy who was wearing blue lower and checked T-shirt was murdered by some persons by giving knife blows at Bighar Road, Fatehabad and thereafter, he reached near Pioneer School, Bighar Road, Fatehabad on motorcycle and on enquiry from persons present at the spot, he came to know that said boy was taken to Govt. Hospital, Fatehabad in ambulance. Thereafter, he reached at Govt. Hospital and found that dead body of his brother-Sukhdev Singh was lying on stretcher in emergency ward and several injuries caused with knife were present on his dead body. As per the complainant, on 08.11.2021, his brother Sukhdev had told him that on 06.11.2021 in the evening, when he was eating egg near Puliya (bridge) of canal, then one Pali, resident of Hans Colony, Fatehabad came there and started quarreling with him and tried to assault him with knife but he saved himself and Pali also gave threats to kill him in future. He has strong suspicion that Pali and his friends had murdered his brother Sukhdev by giving knife blows. On these broad allegations, FIR was registered.

3. Learned counsel for the petitioner contends that the petitioner is in custody since 18.11.2021. He submits that the role attributed to the petitioner that he had given fist and punch blow to the deceased. Even the petitioner has been named in the supplementary statement recorded under Section 161 of the Cr.P.C on 10.11.2021. He further submits that the challan stands presented on 15.02.2022, where charges have already been framed on 29.04.2022 and out of 24 witnesses, no other witness after examination-in-chief of complainant-Vinod, has been examined. It is submitted that petitioner is not involved in any other case. He submitted that the petitioner has already



undergone three years and since other co-accused, namely, Lalit @ Lalit Kumar @ Sheru Pandit has been granted the concession of regular bail vide order dated 23.07.2024 (Annexure P-5) and the conclusion of the trial will take sufficient time. Therefore, he prays that the petitioner be enlarged on regular bail.

4. *Per contra*, learned State counsel opposes the prayer for grant of regular bail to the petitioner, while submitting that the allegations against the petitioner are serious in nature and specifically named in the supplementary statement of the complainant-Vinod. However, he does not dispute this fact that the petitioner is not involved in any other case. He further submits that case is now fixed before the trial Court for 20.01.2025 for prosecution evidence.

5. I have heard learned counsel for the parties.

6. Petitioner is in incarceration since 18.11.2021.

7. It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, under the changed circumstances after dismissal of earlier bail application vide CRM-M-48093-2023 on 02.11.2023 filed by the petitioner, the co-accused has been granted the concession of regular bail by the Co-ordinate Bench vide order dated 23.07.2024 passed in CRM-M-63188-2023 and petitioner has claimed parity. Even, thereafter till today there is no progress in trial as out of 24 prosecution witnesses, only one witness has been examined in-chief till today and the same was the position at the time of dismissal of earlier bail application on 02.11.2023, where this fact was mentioned while dismissing the said application. Moreover, petitioner has



already undergone more than three years of his custody and has no other antecedents, so no useful purpose would be served in keeping the petitioner behind bars as the conclusion of the trial would take sufficient time.

8. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

9. The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

10.01.2025

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