



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

224

CRA-S-2762-2025 (O&M)

Date of Decision: 19.11.2025

Manish @ Monu

...Appellant

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Ms. Gagandeep Kaur, Advocate for the appellant.

Ms. Shaveta Sanghi, DAG, Haryana.

None for complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Present appeal is directed against the order dated 11.08.2025 passed by the Additional Sessions Judge, Jhajjar dismissing the application of the appellant for grant of regular bail in case FIR No.167 dated 15.07.2019 registered under Section 302 of Indian Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989 (For short hereinafter referred to as 'SC/ST Act'), at Police Station Line Par Bahadurgarh, District Jhajjar.

2. Brief facts of the present case as per the prosecution are that, the appellant took Raj Kapoor-deceased to his house and gave beatings to him, because of which he died. Hence the present FIR was registered.

3. Learned counsel for the appellant contends that the appellant has been falsely implicated in the present case. She submits that there is a delay of 14 days in registering the FIR, which raises serious doubt upon the prosecution story. She submits that the appellant has clean antecedents and



nothing is to be recovered from him. She further submits that the appellant has been named as accused without any cogent evidence as the deceased neither gave any dying declaration nor attributed any specific role to the appellant. She further submits that the deceased had died because of medical negligence and lack of proper treatment as the injuries to deceased were not life threatening. She has further submits that the appellant is in custody since 16.07.2019; Challan has been presented; Charges are framed; out of 27 prosecution witnesses only 17 have been examined so far; as such the trial will take a long time to conclude and no useful purpose would be served by keeping the appellant behind bars. Therefore, it is urged that the appeal deserves to be allowed.

4. Learned State counsel, has filed the custody certificate of the appellant, which is taken on record. Reply has already been filed in the present appeal. She has vehemently opposed the prayer for bail stating that the offence committed by the appellant is serious in nature. She submits that that the appellant is clearly visible in the CCTV footage and the weapon of offence i.e. PVC pipe has been recovered on his disclosure statement. As per doctor's opinion, the cause of death is septicaemia consequent to injuries sustained at head and abdomen. However, she could not controvert the fact that the dying declaration could not be recorded and that the appellant has clean antecedents as he is not involved in any other case.

5. Despite service of notice, respondent no.2-complainant has chosen not to put in appearance before this court.

6. Heard.



7. Having heard learned counsel for the parties at length and after perusing the record of the case, particularly the fact that the appellant has been in custody of more than 6 years and 04 months; he has clean antecedents; trial is proceeding at snail's pace and will take long time to conclude; as such no useful purpose would be served by detaining him in further custody.

8. The foundational concept of the criminal jurisprudence is to ensure speedy trial. The Hon'ble Supreme Court has repeatedly reiterated that right to speedy trial is enshrined in Article 21 of the Constitution of India. Speedy trial would cover investigation, enquiry, trial, appeal, revision and retrial etc. i.e. everything starting with the accusation against the accused and expiring with the final verdict of the last Court.

9. In this regard, reference is being made to the law laid down by the Hon'ble Supreme Court in the context of right to speedy trial under Article 21 of the Constitution of India on the following decision:- *Akhtari Bi Vs. State of M.P., (2001) 4 SCC 355, Surinder Singh Alias Shingara Singh Vs. State of Punjab, (2005) SCC (Crl) 1674, P. Ramachandra Rao Vs. State of Karnataka, (2002) 4 SCC 578, Babu Singh and others Vs. State of U.P., (1978) 1 SCC 579, Takht Singh and others Vs. State of M.P., (2001) 10 SCC 463; Special Leave to Appeal (Crl) No.2356 of 2010, Kushal Singh Vs. State of U.P. (2JJ.) and Fazal Vs. State of Uttar Pradesh, (2012) 5 SCC 752.*

10. Having regard to the peculiar facts of the present appeal, no useful purpose would be served by detaining the present appellant in further custody. As such, the present appeal is allowed and the appellant is

ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

11. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

19.11.2025
D.Bansal..

(RUPINDERJIT CHAHAL)
JUDGE

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