



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

(237)

**CRM-M-53024-2025 (O&M)
Date of Decision: 05.12.2025**

Satbir Singh @ Sattu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Abhijeet Chaudhary, Advocate
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

Mr. Vinay Kumar Pandey, Advocate
for the complainant (through V.C.).

KIRTI SINGH, J. (ORAL)

1. This is the second petition filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No. 19 dated 17.1.2023 under Sections 302, 304-B and 34 IPC (Sections 302 and 34 IPC were deleted later on), registered at Police Station Cheeka, District Kaithal.

2. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case by the complainant being the husband of the deceased, alleging that the deceased had been subjected to harassment and cruelty at the hands of the petitioner and his family members, which led to the unfortunate death of the sister of the complainant. It is submitted that there is no direct evidence on record that point towards the complicity of the petitioner. A bare perusal of the FIR reveals that non specific and baseless allegations have been levelled against the petitioner.

Rather, there exists material contradictions in the various statements made by



the complainant. Furthermore, cognizance was not even taken against the parents of the petitioner, qua whom similar allegations were levelled. Reliance in this regard is placed on the order dated 29.2.2024 passed by Additional Sessions Judge, Special Court, Kaithal, which is presented before this Court, and thus is taken on record. Learned counsel further lays emphasis on the prolonged custody period of 02 years, 10 months and 05 days already undergone by the petitioner as an undertrial, despite no charge having been conclusively proved against him. It is further submitted that the first bail petition filed by the petitioner bearing CRM-M-14641-2024 was dismissed by this Court on 25.7.2024 on the sole ground that at that time, the material prosecution witnesses had not been examined. However, now the material prosecution witnesses stand examined. He further submits that the petitioner has undergone an actual custody of 02 years, 10 months and 05 days, and there is no other case registered against him.

3. *Per contra*, learned State counsel as well as learned counsel for the complainant have vehemently opposed the submissions made by the learned counsel for the petitioner. They submit that the petitioner was actively involved in the commission of the alleged offence.

4. Learned State counsel has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 02 years, 10 months and 05 days. The learned State counsel, on instructions from the investigating officer concerned, submits that in the present case, charges were framed on 08.5.2023 and out of total 23 prosecution witnesses, 06 have been examined till date and 04 have been given up. He submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of



5. Heard the rival submissions made by learned counsel for the parties.

6. Admittedly, the charges were framed on 08.5.2023 and out of total 23 prosecution witnesses, only 06 have been examined till date. The petitioner has undergone actual custody of 02 years, 10 months and 05 days, and there is no other criminal case registered against him. The veracity of the allegations levelled against the petitioner shall be established during the course of the trial. No useful purpose shall be served by further detention of the accused-petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex Court in **“Dataram Singh vs. State of Uttar Pradesh and another”, (2018) 3 SCC 22.**

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (iii) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (iv) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of



which he is suspected.

- (v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

10. The trial Court concerned is directed to conclude the trial expeditiously.

11. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

December 05, 2025
Gurpreet Singh

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