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

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**CRM-M-63804-2024
Date of Decision: 18.08.2025**

SURESH

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

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

Present:- Mr. Jagjot Singh Lalli, Advocate for the petitioner.

Mr. Tapan Masta, Addl. Advocate General, Haryana.

H.S. Grewal, J.(Oral)

1. This petition has been filed for grant of regular bail under Section 439 Cr.P.C in case FIR No. 722 dated 11.12.2015 under Sections 148,149,323,452,506 later on added 302,307 and 325 IPC registered at Police Station Sadar Palwal District Palwal.

2. The case of the prosecution is that the police received intimation that in village Bamni Khera, a quarrel had taken place where Rakesh Mali had sustained injuries during the quarrel. The complainant reported that he, along with his father and brother, were having tea at their residence when, at about 5:30 A.M., the petitioner and his co-accused arrived there armed with sticks, swords, axes, and other weapons, and attacked upon them. Thereafter injured/complainant succumbed to his injuries on 17.12.2015 and offence

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publishable under Sections 307, 302, 325 IPC were added and co-accused Dharmender @ Lal, Gopal and Pushpender were convicted by Id. Appellate Court.

3. Learned counsel for the petitioner submits that the petitioner was never called for any investigation and challan was presented only against Dharmender @ Lal, Gopal and Pushpender and they were convicted by Id. Appellate Court. After their conviction, the challan against the petitioner was filed. No fatal injury has been attributed to the petitioner. He further submits that there is a family dispute between the petitioner and the complainant and the present FIR has been registered just to pressurize the petitioner.

4. Learned State counsel vehemently opposes the grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner in the Court today and the same is taken on record. As per custody certificate, the petitioner is in custody for the last 05 years 10 months and 24 days. He further submits that out of 24 cited prosecution witnesses, 04 witnesses have been examined so far.

5. I have heard the learned counsel for the parties and perused the record.

6. Keeping in view the above and the fact that the petitioner is in custody for the last 05 years 10 months and 24 days; 04 witnesses have been examined so far; the continuous detention of the petitioner would not serve the



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ends of justice, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

18.08.2025
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(H.S.GREWAL)
JUDGE

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