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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.64811 of 2024
Date of Decision: 03.11.2025

Deepak ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Randeep S Dhull, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
309	15.08.2023	Civil Lines Kaithal, District Kaithal	302 and 201 of IPC

2. As per the allegations, the victim Surrender used to ply an E-rickshaw which he used to take to Kaithal from his Village Segra, on daily wages. In the morning of 14.08.2023, he had left home with his E-rickshaw but did not return in the night. His mobile phone was also found to be switched off. In the next morning, information qua his dead body lying in the area of Village Devigarh road had been received by his

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family members. On reaching there, it was found that somebody had caused several injuries to the victim and had caused his death and had escaped after leaving the dead body in his E-rickshaw. On the basis of statement of Deveder, brother of the victim to the effect that he had come to know that the petitioner had killed his brother, the aforementioned FIR was registered. Investigation proceedings were initiated. Postmortem examination of dead body of the victim was conducted.

3. As per the further allegations, the petitioner was apprehended on 15.08.2023. He was interrogated and suffered disclosure statement admitting his involvement in the crime and disclosing that he suspected that the victim Surrender was keeping in evil eye on his wife and to take revenge, he had called him at his house in the night of 14.08.2023, made him consume liquor and then had killed him by striking several blows with a bamboo stick. He further disclosed that he had kept the dead body of the victim in his E-rickshaw and had left it at Devigarh road. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 15.08.2023. There is no eye-witness to the occurrence. The disclosure statement allegedly suffered by him cannot be considered to be admissible in evidence. His presence at the spot of occurrence has not been established. No recovery has been effected from him. The trial will take considerable time to conclude. It is, therefore, urged that he deserves to be released on bail.

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5. Status report has been filed. Learned Assistant Advocate General, Haryana has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have called the victim at his house and to settle a score with him on account of the fact that he suspected that the victim was keeping an evil eye on his wife, the petitioner had made him consume liquor and in the state of intoxication, had caused injuries to him. As per the prosecution case, he was lastly seen and found near the residence of the petitioner. He was named in the FIR. The recovery of blood stained bamboo stick and clothing etc. has been effected from him. The petitioner even got recovered the cell phone and clothing of the deceased. The trial is going on at a proper pace and only four prosecution witnesses remain to be examined. PW-12 Sanjeev Kumar has deposed that he had lastly seen the victim along with the co-accused on the evening of 14.08.2023. The allegations against the petitioner are quite serious in nature. The well settled proposition of law is that mere prolonged period of custody is not sufficient ground for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made in ***Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC), Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242*** and ***State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)***. Keeping in



view the above discussed facts and circumstances but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

03.11.2025	(MANISHA BATRA)
manju	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No