



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

235

CRM-M-69549-2025 (O&M)

Date of decision: 15.12.2025

Pranav Kumar @ P.K.

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Soeb Khan and Mr. Himanshu Bansal, Advocates
for the petitioner

Mr. Gautam Kaile, DAG Haryana

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS, 2023, is for grant of regular bail to the petitioner in case FIR No.313 dated 29.08.2018, registered under Sections 302, 201, 420, 467, 468, 471, 34 IPC and Section 25 of the Arms Act, at Police Station Chandhut, District Palwal.

2. Learned counsel contends that the petitioner has been in custody for 7 years and about 3 months. The FIR of missing person was registered. He was implicated in this case along with co-accused on his disclosure statement made in another case wherein he was taken in custody and the allegations against all 3 are similar, one of whom namely Praveen has been granted bail by this Court vide order dated 31.10.2025, Annexure P-23, after being in custody for the same period. There is no direct evidence to connect him with alleged occurrence. The CCTV footage which is being relied upon was not put to family members of the deceased, besides which identification of the body has not been carried out and there is apparently an age gap of 13 years between the deceased



and the body so recovered. Charges were framed on 02.09.2019 and all the 9 material witnesses, out of 28, have been examined. The petitioner is involved in 3 more cases, in 2 of which, he is on bail and the other, he has been discharged. Reliance is placed on the judgment passed by Hon'ble The Supreme Court titled as **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. The custody certificate dated 13.12.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 7 years, 2 month and 24 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner of having strangled the deceased along with co-accused and there is last seen evidence against him. However, he is unable to controvert the submissions with regard to stage, co-accused having been granted bail, however, states that the petitioner is involved in 4 more cases, in 2 whereof, he is on bail, convicted in 1 case and in 4th, he is not on bail.

5. Heard.

6. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (Supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court, etc."

7. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for 7 years, 2 months and 24 days; on bail in 2 some cases; co-accused is on bail; charges have been framed on 02.09.2019 and



all the 9 material witnesses, have been examined and 19 still remain, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

8. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall 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 witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

9. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

10. In view of the above, it is clarified that the observations made



herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

15.12.2025
M.Kamra

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