



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

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CRM-M-67601-2025
Date of Decision: 05.12.2025

SONU

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Jasjit Singh Saini, Advocate
(Legal Aid Counsel) for the petitioner.

Mr. Vijay Kumar, AAG, Haryana.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.468 dated 18.10.2024 under Sections 103(1) and 332(A) of BNS registered at Police Station Sadar Fatehabad, District Fatehabad.

2. The case of prosecution is that the petitioner, Sonu has killed his mother by giving multiple blows with the leg of a cot.

3. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the prosecution could not prove any cogent and strong motive on the part of the petitioner behind commission of the alleged offence. Moreover, the prosecution witnesses have resiled from their respective statements and they have not supported the case of prosecution including the complainant. Counsel for the petitioner further submits that the petitioner is in custody for the last more than 01 year and 01 months. The

trial of the case is yet to commence and the same is likely to take a long time to conclude. Hence, the counsel prays for grant of regular bail to the petitioner.

4. Notice of motion.

5. Mr. Vijay Kumar, AAG, Haryana accepts notice and vehemently opposes the petition for grant of bail and has filed the custody certificate dated 04.12.2025 in the Court today, which is taken on record. He further submits that as per custody certificate, the petitioner is in custody for the last 01 year, 01 month and 13 days in the present case. Moreover, the petitioner has also been convicted in another case under POCSO Act. Hence, he prays for dismissal of the present petition.

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

7. Undoubtedly, the allegations against the petitioner are serious. However, the learned State Counsel is not in a position to deny that the petitioner is in custody for the last more than 01 year and 01 month. Also, he could not refute the fact that the prosecution witnesses including the complainant have not supported the case of prosecution and have been declared hostile. Speedy trial is a material right of an accused, which could not be infringed and he cannot be kept behind bars for long, especially when his guilt is yet to be proved in accordance with law. Hence, this Court deems it appropriate to grant the concession of regular bail to the petitioner at this stage.

8. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner has already undergone custody of more than 01 year and 01 month and the trial is still going on, which may take a long time to conclude, this Court is of the opinion that the petitioner deserves the

concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

9. 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/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

11. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

DECEMBER 05, 2025.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No