

2025:PHHC:171748



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

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**CRM-M-68356-2025
Date of decision: 09.12.2025**

SANDEEP YADAV

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Yogesh Goel, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The instant first petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 172 dated 16.09.2023, registered under Section(s) 302, 307, 342 and 149 of the Indian Penal Code, 1860 at Police Station Sadar Rewari, District Rewari.

2. The FIR in the present case has been registered on the statement of one Janesh Kumar son of Jagdish which reads thus:-

“To, The SHO, Police Station Sadar Rewari. Sir, It is submitted that I Janesh son of Sh. Jagdish is permanent resident of Village Unn, Police Station Baandh Kalan, District Charkhi Dadri. My younger brother is living in Rewari along with is children for the last 3-4 years and he has a scrap shop there. I and my family used to live in village. On dated 15.09.2023 I was



at my home, that I had received an information that my brother has been murdered. On this information I had reached at hospital Rewari and I had identified dead body of my brother lying in Mortuary and I had seen that there are lots of injuries on the dead body of my brother. Some unknown and unnamed persons have murdered my brother after giving injuries to him. Appropriate legal action may kindly be taken against above unknown and unnamed persons.”

3. Learned Counsel appearing on behalf of the petitioner contends that a perusal of the FIR and the subsequent investigation conducted by the Police fails to indicate any specific attribution to the petitioner. The case of the prosecution is based upon the account of one Sonu son of Sube Singh and the complainant Janesh son of Jagdish. However, during the course of deposition before the Court, both the said witnesses had not supported the case of the prosecution and had failed to identify the petitioner. He further contends that the petitioner is in custody since 17.09.2023 and had already been in custody for more than 02 years and 02 months. There are 38 witnesses cited by the prosecution and only 14 witnesses have been examined. Hence, the conclusion of trial is likely to take a long time.

4. Learned counsel further submits that the only recovery attributed to the petitioner is that of his belt, however, there is no allegation that any injury was inflicted upon the deceased with the said belt. He also submits that the petitioner's earlier bail petition was dismissed on the premise that CCTV footage existed; however, the footage relied upon pertains merely to a liquor



vend, whereas the alleged place of occurrence is approximately 800 meters away from that location. There is no material on record to establish that the petitioner was present at the site of the incident at the relevant time. He further contends that there is nothing on record to suggest any motive or any triggering event that could have led to the murder of Sanjeev.

5. Counsel for the respondent-State on the other hand contends that the petitioner was seen in the CCTV footage of the liquor vend alongwith the other accused. The incident in question had occurred at a place which is adjacent to the liquor vend, hence, the participation of the petitioner stands well established. He, however, is not in a position to dispute that the petitioner has already undergone an actual custody of more than 02 years and the two witnesses cited by the prosecution as eye-witnesses have not supported the case of the prosecution. It is also not disputed that only 14 witnesses have been examined so far in the aforesaid case.

6. I have heard learned counsel appearing on behalf of the respective parties.

7. Taking into consideration the circumstances as noticed above which give rise to arguable issues regarding the petitioner's participation in the occurrence; the period of actual custody already undergone by him; the nature of the recovery effected from him and the stage of the trial, which is likely to take a long time to conclude, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.



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8. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

9. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

DECEMBER 09, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No