



CRM-M-3696-2026

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

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CRM-M-3696-2026

Date of Decision: 29.04.2026

KASHMIRI LAL

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

Present:- Mr. Akashdeep Singh, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed u/s 483 BNSS for grant of regular bail in case FIR No. 16 dated 20.01.2025 under Sections 302,34 IPC and 25 of Arms Act registered at Police Station Bahuakbarpur, District Rohtak (challan under Sections 302,201 IPC and 25, 27 Arms Act).
2. The case of the prosecution is that the petitioner along with his relative, had killed the deceased, namely Neelam (wife of the petitioner) by firing at her.
3. Learned counsel for the petitioner submits that the present case is a case of suicide and the allegations levelled against the petitioner are totally fabricated and false. He further submits that gunshot residue powder was found from the hand of the deceased, Neelam, and at this stage it cannot be ruled out that the death was a result of suicide committed by the deceased. He further submits that two hand swabs (right hand and left hand) were taken during the post-mortem examination traces were found on the left hand . It is



an admitted case that the deceased was left-handed. He further submits that the petitioner is in custody since 21.01.2024.

4. Notice of motion.

5. Ms. Malvika Singh, DAG, Haryana accepts notice on behalf of the respondent-State and has vehemently opposed the prayer for grant of regular bail on the ground that the allegations against the petitioner are serious in nature. He has filed the custody certificate of the petitioner in Court today, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 02 years and 03 months and 04 days and is not involved in any other case; out of 35 prosecution witnesses, 03 have been examined so far.

6. I have heard the submissions made by the parties and have gone through the record.

7. After hearing the rival contentions and considering the long incarceration of the petitioner, who is in custody for the 02 years and 03 months and 04 days and is not involved in any other case; out of 35 prosecution witnesses, 03 have been examined so far coupled with the fact that the trial is likely to take considerable time, this Court is of the view that no useful purpose would be served by further incarceration of the petitioner. Accordingly, the petitioner is granted the concession of regular bail during the pendency of the trial.

8. Reference can be made to the judgment of the Hon'ble Supreme Court in the case of *Pardeep Kumar @ Banu versus State of Punjab*, bearing Criminal Appeal No.1341/2026 (arising out of SLP(Cri.) No.18775/2025, decided on 13.03.2026, wherein it has been categorically held that where the



accused has remained in custody for a considerable period and the trial has not even commenced, or is not likely to conclude in the near future, therefore, continued incarceration would amount to punishment without trial. In such circumstances, further detention pending trial is not necessary and the accused is entitled to be released on bail.

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

11. 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.

29.04.2026
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(H.S.GREWAL)
JUDGE

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