



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-7261-2026 (O&M)

Date of decision: 05.05.2026

Sombir @ Sombharti

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

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

Present :- Ms. Vibha Dhiman, Advocate for the petitioner(s).

Mr. Paras Talwar, Sr. DAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. This first petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.239 dated 27.09.2024, registered under Section(s) 103/3(5) of the Bharatiya Nyaya Sanhita, 2023 at Police Station Rajaund, District Kaithal.

2. The present FIR was registered on the complaint/statement of Mandeep son of Balraj Singh @ Balwant Giri Maharaj, alleging therein that he received a call to the effect that his father- Balraj Singh @ Balwant Giri Maharaj (Monk) had been killed by someone at Nawanath Dera by cutting his neck. It is stated that on receipt of the said information, he reached at the spot and found the dead body of his father lying below a shed on a wooden cot and there were marks of a sharp edged weapon on the right side of his neck and blood had clotted there. He submitted that he had satisfied himself that the previous night, some Shankar Giri's nephew Tinku and a Baba of Bharti Sect had been staying with his father and they all consumed liquor at

the Dera and after consuming liquor, they both hit his father with an iron *Tawa* on the right side of his neck and killed him out of greed. The alleged *Tawa* was lying at the spot and had been recovered from there.

3. Learned counsel appearing on behalf of the petitioner contends that it is a blind murder case and there is no eye-witness account. She contends that the petitioner has been nominated as an accused solely on the statement of co-accused, which was nothing more than a hearsay about the involvement of the petitioner in the offence. It is contended that no other witness has been joined by the Police to the investigation with respect to the presence of the petitioner at the alleged place on the date of the occurrence. It is further contended even though the motive attributed is that out of greed, the murder took place, however, there is no allegation that any belonging or any valuable from the Dera has been taken away by any person. Hence, there was no occasion for any greed related murder at that point in time. It is further argued that taking into consideration the nature of injury on the deceased, it is improbable that such an incised wound on the neck could have been caused with the help of a *Tawa* considering that a *Tawa* usually is blunt and is not sharp edged. Besides, there were no blood stain marks on the said *Tawa*. She contends that the final report in the present case was filed in the month of September-2024 while charge was framed in the month of April-2025. Despite a lapse of more than one year, not even a single witness has been completely examined so far and there are total 31 witnesses in the present case.

4. Learned State counsel does not dispute the above submissions made by the counsel for the petitioner, he, however, submits that the

petitioner is involved in another case.

5. Without commenting on the merits of the case and taking into consideration the facts and circumstances as noted above, including the nature of allegations levelled against the petitioner, coupled with the fact that arguable issues would arise with respect to involvement of the petitioner in the commission of the offence, the stage of the trial and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

6. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

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

8. 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.

(VINOD S. BHARDWAJ)
JUDGE

05.05.2026

Mangal Singh

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