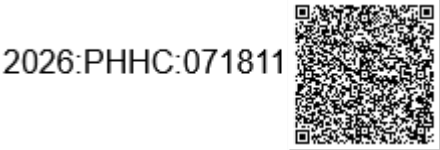


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH



CRM-M-8887-2026 (O&M)

Ravi @ Pujari

... Petitioner

Vs.

State of Haryana & another

... Respondents

1.	The date when the judgment is reserved	07.05.2026
2.	The date when the judgment is pronounced	08.05.2026
3.	The date when the judgment is uploaded on the website	08.05.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Gagandeep Kaur, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) by the petitioner seeking grant of regular bail in case arising out of FIR No.77 dated 20.03.2019, registered under Sections 302, 120-B and 34 of IPC

and Section 25 of the Arms Act, at Police Station Linepar Bahadurgarh, District Jhajjar.

2. The afore mentioned FIR was registered on the basis of a complaint submitted by complainant – Vijay, alleging therein that on the evening of 19.03.2019, he along with his friend Sumit had gone towards Linepar Bahadurgarh area for some personal work. When they reached near liquor vend, he saw 3-4 youths while firing shots on his brother Renu, who was lying on the ground. On clamour being raised by him, those youths had fled on their respective bikes. He identified two of them as Amit and Neeraj both sons of Ram Karan, who were already known to him. The victim was rushed to the hospital but had succumbed to the injuries. By alleging that out of some previous enmity, his brother had been killed by accused Amit and Neeraj in connivance with their accomplices, he prayed for taking action in the matter.

3. After registration of the FIR, investigation proceedings were initiated. Accused Amit was arrested on 21.07.2019. On interrogation, he suffered disclosure statement on the basis of which the present petitioner along with accused Ajay and Neeraj were nominated as accused. Petitioner was arrested on 21.07.2019. He too suffered disclosure statement admitting his involvement in the crime. Accused Amit got recovered two country-made pistols and four live cartridges whereas recovery of one revolver along with two live cartridges was effected at the instance of the present petitioner. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of

the co-accused, which cannot be considered to be admissible in evidence.

He was not named in the FIR. The complainant, who was the eye witness also did not name him. The chances of conclusion of trial in near future are bleak as only 13 out of 34 prosecution witnesses have been examined so far. He has suffered incarceration for a period of more than 06 years and 09 months. No useful purpose would be served by detaining him in custody anymore. Co-accused Ajay has already been extended benefit of bail. On parity, he too deserves to be extended the same benefit. His prolonged incarceration militates against his fundamental right of personal liberty as envisaged under Article 21 of the Constitution of India. It is, therefore, urged that the petitioner deserves to be extended the benefit of bail.

5. Per contra, it is vehemently argued by learned State counsel that the petitioner is a accused of heinous crime. Recovery of one of the weapons of the offence has been got effected at his instance. The allegations against him are serious in nature. He was actively involved in the murder of the victim as he too had fired a shot upon the victim Renu, resulting into his instantaneous death. His antecedents are not clean. There are chances of his absconding or committing similar offences, if extended benefit of bail. It is, therefore, stressed that he does not deserve to be extended the benefit of bail.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner along with the co-accused is alleged to have committed the murder of victim Renu on 19.03.2019. Though, the

complainant was the eye witness to the occurrence but he had not named the present petitioner at the time of lodging of the FIR and he was nominated as an accused on the basis of disclosure statement of co-accused. The petitioner has remained in custody continuously since 21.07.2019 i.e. for a period of more than 06 years and 09 months. Obviously, the trial is not going to be concluded in near future. The period of his incarceration has been prolonged, thereby affecting his right of speedy trial as enshrined under Article 21 of the Constitution of India. In a recent verdict pronounced by the Hon'ble Apex Court on 29.04.2026 in **Special Leave Petition (Criminal) No.7416-2026** titled as **Vaibhav Singh Vs. State of Uttar Pradesh**, it has been observed that even in a case of heinous crime, if an accused is denied his right of speedy trial and is languishing in jail for years together and for no fault on his part, he cannot be kept in jail for indefinite period.

8. In the light of the foregoing legal principle of law and other circumstances as discussed above, this Court is of the considered opinion that the petitioner has made out a case for release on bail at this stage. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing personal and surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent-State to seek redressal by filing an application seeking cancellation of bail.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

08.05.2026

harjeet

(MANISHA BATRA)
JUDGE

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