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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-9759 of 2026
Date of Decision: 05.05.2026

Lila Ram

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. S.S. Nain, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

Mr. Ranvijay Singh, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.34 dated 16.02.2025 registered under Sections 3(5) and 103(1) of the Bharatiya Nyaya Sanhita, 2023 (later on challan filed under Section 103(1), 127(2) and 140(1) BNS read with Section 3(5) of BNS), at Police Station City Mahendergarh, District Mahendergarh.

2. Brief facts of the present case are that the petitioner along with co-accused has committed murder of one Anil (brother of the complainant).

Hence, the present FIR.

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3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He further submitted that the petitioner was neither named in the FIR, nor has any concern with the alleged offence. It has also been contended that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by co-accused Yogesh @ Soosa and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. He further argued that there is no eye-witness of the alleged incident and entire case is based on hearsay and circumstantial evidence. He further argued that even if the prosecution version is believed to be true, even then the only allegation against the petitioner is that he along with co-accused dumped dead body of the deceased. The petitioner is in custody since 05.03.2025. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submitted that there are total 19 prosecution witnesses and out of which, only 03 have been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner, which is taken on record and while referring to the status report already filed in the matter, he has opposed the prayer for grant of bail on the ground that the allegations levelled against the petitioner are serious in nature. He argued that the petitioner along with co-accused abducted the deceased and brought him to co-accused's shop on their motor-

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cycle and thereafter, co-accused Yogesh gave a danda blow on the head of the deceased, due to which he died and later the petitioner dumped the dead body of the deceased with co-accused. He further argued that the petitioner was specifically named in the disclosure statement of co-accused Yogesh @ Soosa. He further submitted that the petitioner is involved in one more case meaning thereby he is a habitual offender. Hence, he prays that the present petition be dismissed.

5. Learned counsel for the complainant, while opposing the prayer for grant of regular bail to the petitioner, has contended that the petitioner has played an active role in the crime and, thus, does not deserve the concession of bail.

6. Having heard learned counsel for the parties and perused the material available on record, this Court is of the considered opinion that the petitioner does not deserve the concession of bail at this stage. The allegations levelled against the petitioner are grave and serious in nature. As per the prosecution case, the petitioner along with co-accused abducted the deceased and brought him to co-accused's shop on their motor-cycle and thereafter, co-accused Yogesh gave a danda blow on the head of the deceased, due to which he died and later the petitioner dumped the dead body of the deceased with co-accused. The petitioner has actively participated in the crime. Considering the seriousness of the allegations and the role attributed to the petitioner, the petitioner is not entitled to bail, at this stage. The present petition has been filed by the petitioner seeking bail mainly on the ground of his prolonged custody. It is trite law that mere prolonged period of custody or the fact that the trial is likely to take time by



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itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made by the Hon'ble Supreme Court in *Kalyan Chandra Sarkar v. Rajesh Ranjan @ Pappu Yadav*, 2004 AIR(SC) 1866, *Chenna Boyanna Krishna Yadav v. State of Maharashtra*, (2007) 1 SCC 242 and *State through CBI v. Amaramani Tripathi*, 2005 (4) RCR (Criminal) 280(SC).

7. Keeping in view the gravity of the allegations as levelled against the petitioner, coupled with the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment upon the merits thereof, this Court is of the considered opinion that the petition does not deserve to be allowed.

8. Accordingly, the present petition being bereft of any merit, is dismissed.

(RUPINDERJIT CHAHAL)
JUDGE

05.05.2026
D.Bansal

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