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

**CRM-M No.10032 of 2026 (O&M)  
Date of Decision: 30.04.2026**

**Netarpal @ Bhambal**

**..... Petitioner**

**Versus**

**State of Haryana**

**..... Respondent**

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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Present: Ms. Samina Dhir, Legal Aid Counsel  
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

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**RAJESH BHARDWAJ, J. (ORAL)**

**CRM-7914-2026**

Allowed as prayed for.

**CRM-M-10032-2026**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.327, dated 15.11.2021, under Sections 302, 379-B, 452, 34 of IPC, registered at Police Station Sadar Palwal, District Palwal.
2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Jogender Singh. It was alleged that on 13.11.2021, at about 02:30 P.M., while the complainant was passing in front of the house of his maternal aunt, namely, Dayawati, he heard the noise of 'save-save' coming from her



house. The complainant, on opening the door and entering inside, saw that Sanjay, Netarpal @ Bhambal (petitioner), Rohtash and Sonu were assaulting the son of his maternal aunt, namely, Mahesh Kumar. Sanjay was holding an iron rod, Netarpal was holding an iron bar, Rohtash was holding an axe and Sonu was holding a stick. They all attacked upon Mahesh Kumar with their respective weapons, which hit on his head and face. The complainant raised the alarm and then, his aunt, Dayawati came to her house and saw that his son was lying unconscious on the bed, badly injured and blood was oozing from his body. They tried to catch the accused but all the accused fled away from the spot with their respective weapons, however, only a bicycle and a stick of one of the accused were left at the spot. They found that lock of almirah was broken and the accused had taken away an amount of Rs.2,10,000/- along with them. The injured got admitted in the Government Hospital, Palwal from where he was referred to Private Apex Hospital. He was again referred to Sarvodaya Hospital, Faridabad, from where he was referred to Delhi Trauma Centre. Thus, the request was made to take legal action. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. Resultantly, the petitioner was arrested on 18.11.2021. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Palwal praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Palwal dismissed the bail application filed by the petitioner vide order dated 28.10.2025. Hence being aggrieved, the petitioner is before this Court praying for grant of



regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. She has submitted that the alleged occurrence took place on 13.11.2021 whereas the deceased succumbed to the injuries 12 days thereafter, i.e. on 25.11.2021. She has submitted that the complainant had alleged that all the accused had caused injuries to the deceased, however, the co-accused, except the petitioner, have been declared innocent during the investigation and were summoned under Section 319 Cr.P.C., wherein they were granted the concession of anticipatory bail. She has submitted that the ocular version is not even medically corroborated. She has submitted that the postmortem would show that the deceased had suffered 03 injuries whereas all the accused were said to have given multiple injuries. She has submitted that though the allegations against the petitioner are that he caused injuries with an iron rod but the recovery from the petitioner is a stick, i.e. danda, which is a material discrepancy. She has submitted that the deceased died 12 days after the occurrence, which would show that the offence, as alleged, i.e. culpable homicide, amounting to murder is not even prima facie made out. She has submitted that the petitioner is behind bars from last more than 4½ years and the material witnesses already stand examined, thus, his right of speedy trial has been miserably defeated. To buttress her arguments, learned counsel for the petitioner has submitted that the complainant, who is the cousin of the deceased, has been examined before the learned trial Court and he has not supported the case of prosecution, thus, he has been declared hostile. She has submitted that in the overall facts and circumstances of the case, the petitioner deserves to



be granted regular bail.

4. Reply dated 02.04.2026 by way of an affidavit of Sahil Dhillon, HPS, Deputy Superintendent of Police, HQ Palwal, District Palwal on behalf of the respondent-State has already been filed by the learned State counsel in the Court, which is taken on record.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the name of petitioner has been specifically mentioned in the FIR. He has submitted that the petitioner was armed with a stick. He has endorsed the fact that the complainant has not supported the case of prosecution, however, he has submitted that the other co-accused, has supported the case of prosecution. He, on instructions, has submitted that out of total 32 prosecution witnesses, 13 witnesses have been examined so far. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

6. Heard.

7. After hearing counsel for the parties and perusing the record, it is deciphered that the alleged occurrence has taken place on 13.11.2021 whereas the deceased succumbed to the injuries 12 days thereafter, i.e. on 25.11.2021. The co-accused were initially declared innocent, however, they were summoned under Section 319 Cr.P.C. The complainant, who is one of the eye-witness has not supported the case of prosecution. The material, witnesses already stand examined. The petitioner is behind bars since 18.11.2021. Custody certificate produced would show that the petitioner has suffered an incarceration of 04 years, 05 months and 11 days as on 28.04.2026. It further reflects that the petitioner is involved in 01



more case. Out of total 32 prosecution witnesses, 13 witnesses have been examined so far. Needless to say that every accused has the fundamental right of speedy trial.

8. The Hon'ble Supreme Court in *Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695* has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

9. The Hon'ble Supreme Court in a recent decision dated 03.07.2024 in *Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024*, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

10. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

11. Accordingly, the present petition is allowed and the petitioner

is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

12.           However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

13.           Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

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| <b>30.04.2026</b> |                             | <b>(RAJESH BHARDWAJ)</b> |
| <i>rittu</i>      | Whether Speaking/Reasoned : | Yes/No                   |
|                   | Whether Reportable :        | Yes/No                   |