



CRM-M-10820-2026(O&M)

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

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CRM-M-10820-2026(O&M)

Date of decision :12.03.2026

Date of uploading : 12.03.2026

Narender

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Baljinder Singh, Advocate, for the petitioner

Ms. Mahima Yashpal, Senior DAG, Haryana.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.625 dated 12.8.2019 under Sections 302, 201, 120-B and 34 of the IPC, registered at Police Station Sadar Palwal, Haryana.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'TO, SHO Officer, Police Station Sadar Palwal, sir, my name is Bir Singh, son of Dulhe Ram, a resident of village Allika, Tehsil Palwal, District Palwal. My wife, Bishandevi, went to sleep at around 11 am. We woke up at around 4 am and found her missing from her bed. We tried to look for her but could not find her anywhere. Around 9 pm, a neighbor told us that they saw someone's hand lying in the garbage. This entire incident occurred at the old school. The neighbor said she had come to tie her buffalo as usual. Bishandevi never went anywhere in the morning or at night. We have no quarrels or animosities with anyone in our village. We

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do not suspect anyone. Some unknown person murdered my wife. I request you to take the strictest possible action. Thanks SD- BIRSINGH Bir Singh 12.08.19.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 06.10.2019. Learned counsel has further submitted that the case in hand is not an eye-witness account but is based on disclosure statement. Learned counsel has further argued that that the petitioner has suffered incarceration for more than 6 years and the trial is yet to conclude. Learned counsel has further argued that the premise of the prosecution case is illicit relationship of the petitioner with co-accused Premwati but the husband of the petitioner, while deposing as a prosecution witness, has denied any illicit relationship. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 10.2.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 06.10.2019 and stated to be in continuous custody since then. Upon culmination of investigation, challan was prepared on 21.1.2019 and subsequently filed, wherein total 27 prosecution witnesses have been cited. It is not in dispute that 16 witnesses already stand examined as also the fact that all private prosecution witnesses stand examined. The rival contentions raised by

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learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.2 As per custody certificate dated 26.02.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 6 years, 4 months and 21 days & is not shown to be involved in any other IPC offence.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.



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8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

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

(SUMEET GOEL)
JUDGE

12.03.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No