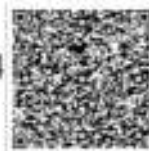


2026.PHHC.078454



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

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CRM M-11152-2026

Date of Decision: 19.05.2026

Prem Nath

...Petitioner (s)

Vs.

State of Haryana

...Respondents(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Raman Chawla, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 483 of the BNSS, with a prayer to grant him regular bail in case FIR No. 0208 dated 11.08.2024 (Annexure P-1) under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita (BNS) 2023, (Old Sections 302, 34 IPC) registered at Police Station Siwani, District Bhiwani,
2. The FIR in the present case was registered on the basis of the statement made by Rajesh son of Mahender Singh, and the same has been reproduced below:-

“Statement of Rajesh son of Mahender Singh resident of Badwa aged about 25 years Mobile No. 8053381386, stated that I am a permanent resident of the above address and I work as a labourer and we are 3 brothers and my father has passed away and all the three brothers live together, I and my elder brother are married and the middle one elder to me is Nenu son of Mahender aged about 28 years who was

unmarried, whom we used to call Surender at home, on 09.08.2024 at about 11.00 a.m., I and my brother Nenu alias Surender were returning home after working in the fields, when we reached in front of Canara Bank Badwa, Pramod son of Premnath and Premnath son of Pyare Lal of our village were going towards Hisar on their motorcycle, my brother Nenu alias Surender called them and said Ram Ram to Prem Nath, and as my brother Nenu alias Surender and Pramod son of Premnath did not talk to each other, Pramod stopped his motorcycle and caught hold of my brother's neck and slapped him and said that we do not talk to you at all. So, why did you stop us, then they started abusing each other and Pramod's father Premnath also came there and Premnath caught my brother Nenu from behind and Pramod kicked my brother on his stomach and testicles, I, intervened by folding hands and then we went to our house and they sat on his motorcycle and left, we went home and fed my brother ghee and milk at home, when my brother felt a lot of pain at night, I took him to Government Hospital Siwani, from where Dr. Sahib referred my brother to GH Bhiwani, instead of taking him to GH Bhiwani, I took him to GH Hisar, from where Dr. Sahib referred my brother to Agroha on 10.08.24, whom I brought to Agroha Hospital Medical, where Dr. Sahib was treating my brother, during the treatment my brother Nenu alias Surender died due to the injuries inflicted by Parmod and Premnath in the fight, legal action be taken against Parmod and Premnath, I have got written my statement, heard it and same is correct. SD L.T.R Rajesh.”.

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case and no specific role has been attributed to him. It has been wrongly alleged that the petitioner had caught hold of the deceased and his son had caused injuries with kicks to the deceased. He further submits that the deceased was not provided timely medical treatment also and he had died because of the medical negligence. Thus, the ingredients of the offence under Section 302 IPC would be debatable keeping in view the peculiar facts and circumstances of the present case. Learned counsel further submits that the petitioner is in custody for the last more than one year and seven months and the prosecution has been able to examine only 14 witnesses so far and the conclusion of the trial may take quite a long time.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

5. I have heard learned counsel for the parties and perused the record.

6. It is not in dispute that the only allegation against the present petitioner is that he had caught hold of the deceased, whereas the injuries were caused by Pramod main accused in the present case. Except that, no other overt-act has been attributed to him. Moreover, the material witnesses have already been examined in the present case and the petitioner may not be in a position to influence the witnesses of the prosecution.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

19.05.2026		(N.S.SHEKHAWAT)
amit rana		JUDGE
Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No