



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

Sr. No.205

CRM-M-12326-2026
Date of Decision: 18.04.2026

MOHAMMAD AALAM

...Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Kunal Jindia, Mr. Vicky Sharma and
Mr. Gauri Swarup Bansal, Advocates
for the petitioner.

Mr. Vaibhav Sharma, AAG, Haryana.

MANDEEP PANNU, J. (Oral)

1. This is the second petition under Section 483 of BNSS read with Section 528 of BNSS for the grant of concession of regular bail to the petitioner in case FIR No.313, dated 29.08.2018, under Sections 302, 201, 34, 467, 468, 471 IPC and Section 25 of Arms Act, registered at Police Station Chandhut, District Palwal.

2. In the present case, the allegations against the petitioner are that he is involved in the commission of murder. A Coordinate Bench of this Court, while deciding the first bail application of the petitioner vide order dated 19.08.2025, had considered the entire material on record in detail and declined the concession of bail. While doing so, it was specifically observed that there was sufficient *prima facie* evidence connecting the petitioner with the alleged offence of murder and that the gravity of the offence did not justify grant of bail. The Court had also taken into account the custody



period of the petitioner and the stage of trial, and after due consideration, found no ground to extend the benefit of regular bail. However, a limited liberty was granted in para No. 10 of the said order to the effect that in case the trial does not conclude within eight years of the petitioner's custody and the delay is not attributable to the petitioner, he may apply for bail before the trial Court.

3. Learned counsel for the petitioner submits that there are no specific allegations levelled against the petitioner by the complainant. It is further contended that the petitioner has been in custody for more than seven and a half years, and no recovery of any weapon has been effected from him. It is also submitted that out of the total 32 prosecution witnesses, only 9 have been examined so far, and therefore the trial is likely to take considerable time. On parity, it is pointed out that similarly placed co-accused, namely Praveen and Pranav Kumar @ P.K., have already been granted the concession of regular bail. Accordingly, it is prayed that the petitioner is also entitled to be released on regular bail.

4. On the other hand, learned State counsel has filed custody certificate of the petitioner today in Court, which is taken on record. He submits that the condition laid down by the Coordinate Bench in its earlier order dated 19.08.2025 has not been satisfied, as the petitioner has not yet completed eight years of custody.

5. Having heard learned counsel for the parties and perused the record of the case file, this Court observes that in the present case, the custody period of the petitioner is approximately 6 years, 6 months and 27 days and out of 28 prosecution witnesses, 13 witnesses have been examined



so far. Thus, the condition stipulated by the Coordinate Bench in its earlier order dated 19.08.2025 has not yet been fulfilled, inasmuch as the period of eight years of custody has not elapsed. Moreover, no material has been brought on record to demonstrate any substantial change in circumstances so as to warrant a different view from the one already taken by the Coordinate Bench.

6. In view of the aforesaid, this Court does not find any ground to grant the concession of bail to the petitioner at this stage. Consequently, the present petition is dismissed.

7. However, it is clarified that nothing observed herein shall be construed as an expression on the merits of the case.

8. All pending applications, if any, also stand disposed of.

18.04.2026
Anu

(MANDEEP PANNU)
JUDGE

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