



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

CRM-M-12464-2026

Date of decision : 06.04.2026

Ajay @ Shaaka

....Petitioner

versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sahil Choudhary, Advocate and
Mr. Yashbir Kharab, Advocate for the petitioner.

Ms. Diya Sodhi, Sr. D.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present second petition has been filed by the petitioner praying for grant of regular bail in case FIR No.172 dated 25.03.2023, under Sections 201, 302, 323, 341, 397 & 34 of IPC, registered at Police Station Old Industrial, Panipat.

2. As per the facts of the case, the FIR was lodged on the statement of complainant, namely, Hawa Singh. It was alleged that he was having two sons and two daughters. Complainant's younger son Pardeep, was working in Raj Woollen Industries Panipat. On 24.03.2023, his son Pardeep had come at home after completing his day duty and thereafter, at about 07:00 PM, he had gone for overtime duty in another company at Jattal Raod, Panipat. On 25.03.2023 at about 03:00 AM, Kuldeep, who belongs to his village came at his house and told the complainant that a quarrel took place between Pardeep and three unknown persons and for treatment, his friends took him to Prem Hospital, Panipat. On hearing this, the complainant went there. It was alleged that Pardeep's friends fled away from the spot, however, Pardeep was alleged that they gave sharp edged weapon blow in the stomach of Pardeep. On raising alarm by Pardeep, accused persons fled away from the spot with their respective



weapons on their motorcycles and thereafter, Pardeep was shifted to Prem Hospital, Panipat. Thereafter, Pardeep being seriously injured got shifted by the complainant to Civil Hospital, Panipat, where doctor declared him dead and thus, the request was made to take the legal action against the culprits. On registration of FIR, investigation commenced. During investigation, the complicity of the petitioner surfaced and resultantly, he was arrested on 09.04.2023. On completion of investigation, challan was presented. On framing of charges, the trial commenced. The petitioner approached the learned Additional Sessions Judge, Panipat, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned trial Court vide order dated 26.11.2025. Aggrieved by the same, the petitioner earlier approached this Court by way of filing of CRM-M-25098-2024, however, the same was dismissed as not pressed on 24.07.2025. Hence, the petitioner is before this Court praying for grant of bail by way of filing of present second petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He submits that neither the petitioner was named in the FIR nor any specific role was attributed to him. He submits that, it is during the investigation, the petitioner was roped in the present case. He submits that the allegation of causing stab injury is against co-accused, namely, Manish and not against the petitioner. He submits that the petitioner is behind bars from last more than 2 years and all material witnesses already stand examined. He, thus, submits that the petitioner deserves to be granted bail.

4. Reply by way of affidavit of Mr. Satish Kumar, HPS, Deputy Superintendent of Police, (HQ), Panipat has been filed on behalf of respondent-State in the Court today, same is taken on record.



5. Per contra, learned State counsel has also opposed the submissions made by counsel for the petitioner and submits that the complicity of the petitioner surfaced during investigation. She submits that the weapon of offence i.e. knife was provided by the petitioner to co-accused, Manish, who gave a fatal blow to the deceased. She, on instructions, has submitted that out of total 32 prosecution witnesses, 25 witnesses have been examined so far. She has produced on record the custody certificate of the petitioner and submits that as the petitioner was convicted in another case, hence, his custody in the present case is counted to be 02 years, 02 months and 11 days.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the alleged occurrence had taken place on 25.03.2023. The petitioner was arrayed as an accused, during the investigation. The petitioner was alleged to have supplied the weapon of offence i.e. knife but the blow of the knife had been attributed to co-accused Manish. The custody certificate produced would show that the petitioner has suffered an incarceration of 02 years, 02 months and 11 days as on 03.04.2026. It further reflects that the petitioner is involved in 07 more cases, however, in 03 cases, he is on bail in the said case and in 02 cases, he has been acquitted. Out of total 32 prosecution witnesses, 25 witnesses have been examined so far. Material witnesses already stand examined. Needless to say that speedy trial is the fundamental right of every accused.

7. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

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. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail to the petitioner. Accordingly, present petition is allowed and petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

11. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

06.04.2026

ps-I

(RAJESH BHARDWAJ)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No