



CRA-S-905 of 2026 (O&M) -1-

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

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**CRA-S-905 of 2026 (O&M)
Date of Decision: 27.04.2026**

Pardeep @ Chikka

....Appellant

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Sumit Sangwan, Advocate
for the appellant.

Ms. Shaveta Sanghi, DAG, Haryana.

Mr. Arun Kumar, Advocate
for respondent No.2/complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Present appeal is directed against the order dated 22.01.2026 passed by the learned Additional Sessions Judge, Charkhi Dadri, dismissing the application of the appellant for grant of regular bail in case FIR No.179 dated 21.08.2023 registered under Sections 302 and 34 of IPC (Subsequently during investigation, Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989 Amendment 2015 (For short hereinafter referred to as 'SC/ST Act'), at Police Station Jhojhu Kalan, District Charkhi Dadri.

2. Brief facts of the present case are that the appellant along with other accused murdered one Raj (brother of the complainant), due to some

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altercation between them.

3. Learned counsel for the appellant has submitted that the appellant has been falsely implicated in the present case and he has no concern with the alleged offence. He further argued that there is no eye-witness of the alleged incident and entire case is based on hearsay and circumstantial evidence. He argued that the present appellant has been nominated in this case as an accused only on the basis of suspicion without any concrete evidence. The appellant is in custody since 22.05.2024. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submits that there are total 27 prosecution witnesses and out of them, only 12 have been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the appeal deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the appellant and status report in the matter, which are taken on record and while referring to the status report, she has opposed the prayer for grant of bail on the ground that the allegations levelled against the appellant are serious in nature. She argued that the petitioner inflicted injuries to the brother of the complainant resulting into his death and as such, he has actively participated in the crime. She further argued that upon the disclosure statement made by the appellant, an iron pipe, motor-cycle and i-20 car used in the crime has been recovered. She further submitted that as per doctor's opinion, the injuries can be caused with the weapon used in the crime. She further submitted that the appellant is involved in multiple other

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cases meaning thereby he is a habitual offender. Hence, she prays that the present appeal be dismissed.

5. At this stage, learned counsel for the complainant has put in appearance and filed his *Vakalatnama*, which is taken on record. He, while opposing the prayer for grant of bail to the appellant, has contended that the appellant has played an active role in the crime and, thus, does not deserve the concession of bail.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the allegations against the appellant are grave and serious in nature as he along with co-accused has committed heinous crime of murder of brother of the complainant. The appellant has also suffered a disclosure statement and got recovered an iron pipe, motor-cycle and i-20 car used in the crime, which affirms the role of the appellant in the alleged crime. The appellant is also involved in multiple other cases meaning thereby he is a habitual offender. The present appeal has been filed by the appellant seeking bail mainly on the ground of his prolonged custody. It is trite law that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made by the Hon'ble Supreme Court in ***Kalyan Chandra Sarkar v. Rajesh Ranjan @ Pappu Yadav, 2004 AIR(SC) 1866, Chenna Boyanna Krishna Yadav v. State of Maharashtra, (2007) 1 SCC 242*** and ***State through CBI v. Amaramani Tripathi, 2005 (4) RCR (Criminal) 280(SC)***.

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7. Keeping in view the gravity of the allegations as levelled against the petitioner, coupled with the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment upon the merits thereof, this Court is of the considered opinion that the present appeal does not deserve to be allowed.

8. Accordingly, the present appeal being bereft of any merit, is dismissed.

(RUPINDERJIT CHAHAL)
JUDGE

27.04.2026
D.Bansal

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