



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

CRM-M-15434-2026

Date of decision: 20.04.2026

KULDEEP ALIAS DEPUTY

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Ms. Kavita, Advocate and
Mr. Ankit, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG Haryana.

Mr. Ashish Verma, Advocate for the complainant.

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RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.297 dated 29.10.2023 registered under Sections 147, 148, 149, 302, 323, 341, 506 of IPC (Sections 212, 427 IPC added later on) at Police Station Nathu Sarai Chopta, District Sirsa.

2. Brief facts of the case of prosecution are that the petitioner along with other co-accused formed an unlawful assembly and in furtherance of common object, while armed with iron rods, dandas and kassi caused injuries to complainant and others, wherein one Sant Lal succumbed to the injuries.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He submits that the injury



attributed to the petitioner does not corroborate with the medical evidence. He submits that the complainant had a grudge against the petitioner as he did not support him in the elections. He submits that the petitioner is suffering from ulcer problem since many years and his condition is deteriorating day by day. He submits that the petitioner was earlier granted concession of interim regular bail by this Court as well as by Co-ordinate Bench to take treatment at a private hospital and submits that his regular bail petition be allowed as there is no proper treatment available in jail. It is also submitted that the petitioner has been in custody for the last nearly 02 years and 05 months, and the conclusion of the trial is likely to take considerable time. Therefore, he prays that the present petition be allowed.

4. Learned State counsel has filed custody certificate and status report in the matter, which are taken on record. He has opposed the prayer for grant of regular bail by submitting that the allegations levelled against the petitioner are serious in nature. He submits that the petitioner was armed with an iron rod initially but during attack he exchanged his rod with the sword carried by co-accused Sanjay and assaulted the deceased Sant Lal with sword blows on his head and also attacked other victims with an intention to kill thereby exhibiting his common intention and active participation in the crime. He further submits that the petitioner is a habitual offender as multiple other cases are registered against him. Therefore, in view of the seriousness of the allegations, he prays for dismissal of the present petition.



5. Learned counsel appearing on behalf of the complainant adopts the submission made by learned State counsel and has opposed to the relief sought by the petitioner.

6. I have heard learned counsel for the parties and perused the material available on record. The allegations against the petitioner are serious in nature. In the present case, the petitioner was actively involved in the occurrence and is specifically attributed with causing injuries using a deadly weapon, i.e., a sword, after allegedly exchanging the iron rod initially carried by him with a co-accused. The manner of assault, particularly the blows inflicted on the head of the deceased and attacks on other victims, prima facie indicate a clear intention to cause death and reflect his active participation coupled with common intention. The petitioner is seeking bail mainly on the ground of his prolonged custody. The custody period of approximately 02 years and 05 months, though not insignificant, cannot by itself be a ground for grant of regular bail in the facts of the present case, particularly in view of the seriousness of the allegations and the petitioner's alleged criminal antecedents, indicating that he is a habitual offender with multiple cases registered against him. 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).

7. Consequently, keeping in view the gravity of the offence, the custody period undergone by him, and the larger societal interest, this Court does not find it to be a fit case for grant of bail. Accordingly, the present petition is dismissed.

20.04.2026
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(RUPINDERJIT CHAHAL)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No