



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

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CRM-M-17234-2026 (O&M)
Date of decision: 07.04.2026

Shahrukh**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Ankit Yadav, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case arising out of FIR No. 259 dated 23.07.2023, registered under Sections 323, 324, 34 and 506 of IPC (Section 307 of IPC added later on) at Police Station Ballabhgarh Sadar, District Faridabad.

2. The aforementioned FIR was registered on the basis of a written complaint lodged by the complainant Rijwan alleging therein that he was running a meat shop where he and his brother-in-law Mustaqeem used to work together. On 21.07.2023, the complainant had gone from his shop to ease himself, whereas Mustaqeem was present at the shop. At that time, the present petitioner along with co-accused Abdulla @ Rahul reached there in an auto-rickshaw. The complainant saw them while rushing towards his shop and thereafter, they ran away. He rushed to his shop and found his brother-in-law Mustaqeemm lying there in an injured condition. He disclosed that co-accused Abdulla @ Rahul had



caught hold of Mustaqeem, whereas the petitioner had inflicted knife blows on his neck and thereafter both fled away. The victim was rushed to the hospital for treatment. The motive attributed to the petitioner and the co-accused was that the brother of petitioner Shahrukh had eloped with a girl and his whereabouts had been disclosed by victim Mustaqeem to the police, due to which the petitioner was offended with him. The petitioner was arrested on 12.10.2023. The investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 12.10.2023 i.e. for the last 02 years, 05 months and 23 days. He is not required for further investigation. He has clean antecedents. The trial would take considerable time to conclude as no prosecution witness has been examined so far out of total 16 witnesses. No useful purpose would be served by detaining him in custody any further. Co-accused Abdulla @ Rahul has already been granted concession of regular bail by this Court, vide order dated 23.02.2026 passed in **CRM-M-69589-2025**. On parity, the petitioner too deserves to be given the same benefit. Hence, it is urged that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that the allegations against the petitioner are serious in nature as in furtherance of their common intention, the petitioner and the co-accused, by conniving with each other, assaulted the victim Mustaqeem by inflicting knife blows, thereby making an attempt to kill him. The victim and other material witnesses are yet to be examined. There are chances of the petitioner's intimidating the witnesses or committing similar offences, if extended the benefit of bail. It is, therefore,



argued that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions.

6. The petitioner is alleged to have assaulted the victim with a knife on 21.07.2023, thereby causing him serious injuries. The investigation stands concluded. The trial would obviously take considerable time to conclude as no prosecution witness has been examined so far. Co-accused has already been granted concession of regular bail by this Court, as mentioned above. The petitioner has clean antecedents. He has been in custody for the last 02 years, 05 months and 23 days. It is well settled proposition of law that prolonged incarceration generally militates against the most precious fundamental right guaranteed under Article 21 of the Constitution and in such cases, when there is delay in conclusion of trial without there being any fault on the part of the accused, he becomes entitled to be released on bail. Since the trial of this case, apparently and evidently, is shown to have been delayed, as such, this Court is of the considered opinion that no fruitful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal as well as surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

07.04.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No