

2026:PHHC:079092



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.17349 of 2026

Sanjay @ Sanju ... Petitioner

Versus

State of Haryana ... Respondent

1.	The date when the judgment is reserved	18.05.2026
2.	The date when the judgment is pronounced	20.05.2026
3.	The date when the judgment is uploaded on the website	20.05.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sumeet Singh Brar, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Mr. Amit Chaudhary, Advocate and
Mr. Pritish Midha, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The instant one is the third petition as filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For

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short “BNSS”) seeking regular bail in case arising out of FIR No.57 dated 01.03.2024 registered under Sections 302, 120-B, 148, 149 and 216 of IPC and Sections 25 and 25 (1) (B) of Arms Act, 1959 at Police Station Narwana Sadar, District Jind, Haryana. The first petition as filed by the petitioner bearing CRM-M-56081-2024 has been dismissed by this Court vide order dated 16.01.2025 and the second petition as filed by the petitioner bearing CRM-M-24445-2025 has been dismissed by this Court vide order dated 15.09.2025.

2. As per the allegations, on 01.03.2024, the victim Sushil Sharma had left his house for some personal work and sometime thereafter, an intimation about causing his death by accused Vikram had been received. On the basis of complaint lodged by his brother Vikas, FIR was registered. Investigation proceedings were initiated. Accused Vikram, named in the FIR and Sombir were arrested on 05.03.2024. On the basis of their disclosure statements, the present petitioner was nominated as accused and was arrested on 06.03.2024.

3. Learned counsel for the petitioner has argued that his previous petition had been dismissed on 16.01.2025 and 15.09.2025 respectively. A long period has elapsed since then. However, there is no progress in the trial as only 02 out of 48 prosecution witnesses have been examined so far. The chances of conclusion of the prosecution evidence in near future are still bleak. He is in custody for a period of more than 02 years and 02 months. There is no eye-witness to the murder of the victim. The case rests upon

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circumstantial evidence. Each day spent by him in custody is a ground afresh to seek concession of bail. His antecedents are clean. His prolonged incarceration militates against his fundamental right guaranteed under Article 21 of the Constitution of India to release on bail. It is, thus, argued that the petition deserves to be allowed.

4. Status report has been filed. Learned State counsel assisted by learned counsel for the complainant has argued that the petition is not maintainable being successive one. The previous two petitions as filed by the petitioner had been dismissed by passing detailed orders. The complicity of the petitioner in the subject crime stands prima facie established. There are chances of petitioner's committing similar offences, intimidating the witnesses or absconding, if extended benefit of bail. It is, thus, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have hatched a conspiracy with the co-accused and in pursuance thereof, to have killed the victim Sushil Sharma in the morning of 01.03.2024. He is in custody for a period of more than 02 years and 02 months. While dismissing his previous second petition on 15.09.2025, it was found that only 01 prosecution witness had been examined. The trial has not progressed at all as only 02 prosecution witnesses have been examined so far. Each day spent by the petitioner in custody has obviously furnished a new ground to him to seek concession of bail especially in the circumstances when there has been no material

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progress in the trial and it is also apparent that it will not be concluded in near future. The delay in conclusion of trial cannot be attributed to the petitioner at all in the peculiar circumstances of the case. It is also not the allegation that it was the petitioner who was the actual assailant of the victim and the co-accused Sombir is alleged to have fired shot upon the victim. Taking into consideration the above discussed facts, this Court is of the considered opinion that a case for release of the petitioner on bail at this stage is made out. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

20.05.2026
manju

(MANISHA BATRA)
JUDGE

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