

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

227

2026 PHHC 075458



CRM-M-25976-2026 (O&M).
Date of decision: 13.05.2026.

SABARJEET

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. A.V.S. Parmar, Advocate, and
Mr. Abhishek Kumar, Advocate,
for the petitioner(s).

Mr. Paras Talwar, Sr. DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.200 dated 12.07.2018, under Section(s) 365 of the Indian
Penal Code, 1860 (Charges framed under Sections 364, 302, 201 and 120-B of
the IPC), registered at Police Station Kheripul, District Faridabad.

The aforesaid FIR was registered on the basis of statement of

Sahab Singh son of Budh Singh, resident of Village Bhatola, translated version of which reads thus: -

“My son's name is Manish, who is 18 years of age. On 11.07.2018 at 11:00 hrs in the afternoon, he went out on a motorcycle bearing registration number HR-51BB-9730 (Splendor Pro, Black Colour) and has not returned since. We searched for him at our own level but by 6 o'clock in the evening we could not find him. We also called on our mobile number 9871439045 from the emergency helpline number 100. We suspect that some person may have kidnapped our son. His T-shirt is black/blue in colour and he is wearing navy blue coloured jeans. His face is round and complexion is fair. Kindly take appropriate action.”

Learned counsel appearing on behalf of the petitioner contends that the prosecution has concluded its evidence and thereafter, not only the statement of accused under Section 313 Cr.P.C. was recorded but two witnesses were also examined in defence. However, the complainant has now moved an application under Section 311 Cr.P.C. seeking DNA matching since earlier DNA analysis of the deceased did not match with his mother. He contends that now the application has been filed for seeking analysis after drawing sample from the father-complainant. He submits that despite multiple opportunities having been granted, there has been no adjudication on the application and thus the proceedings are likely to take a long time to culminate. He further contends that as per the custody certificate dated 12.05.2026 placed on record, the petitioner has already undergone an actual custody for 07 years, 09 months and 25 days. He further submits that the petitioner is not involved in any other case and therefore, keeping in view long incarceration, the present petition deserves to be allowed.

State counsel, on the other hand, does not dispute the facts as noticed above including the period of custody and the stage of the trial.

Having heard the learned counsel for the parties, without commenting any further on the merits of the case and taking into consideration only the custody period of 07 years, 09 months and 25 days already undergone by the petitioner, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

May 13, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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