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

CRM-M-27231-2025

Date of Decision: 01.04.2026

Mukesh Chand Meena

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Manish Soni, Advocate, for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Vadit Sharma, Advocate for

Mr. Dhramvir Sharma, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.627 dated 28.12.2023, registered under Sections 302, 34 IPC (Sections 201, 420, 468 and 471 IPC added lateron), at Police Station Badshahpur, District Gurugram.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Mahender Meena. It was alleged that on 27.12.2023 at about 10:52 p.m., he received a telephonic call from Rajesh @ Raju that his brother Mithun @ Samay Singh who lived in Mahilpur, Delhi, met with an accident in Gurugram. After some time, he informed that a fight had occurred and a vehicle ran over his brother. It was also informed that Mukesh (the petitioner), Narsi Meena, and Vikram were present at the scene and repeatedly drove the vehicle over his brother. It was further alleged by the complainant that murder of his brother Mithun @ Samay Singh was planned and committed by Rajesh, Mukesh, Vikram and Narsi Meena. Thus, request was made to take legal action against the accused persons. On the registration of the FIR, the investigation



commenced. The petitioner was arrested on 28.12.2023. He approached the Court of learned Additional Sessions Judge, Gurugram praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 07.05.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He contends that admittedly case of the prosecution is based on the circumstantial evidence. However, there is no credible evidence has been collected by the Investigating Agency for proving the allegations against the petitioner. It is contended that the vehicle with which the petitioner has been alleged to have run over the deceased, does not belong to the petitioner. It is also contended that co-accused, namely, Rajesh @ Raju, Vikram and Narsi @ Meena, who were also present at the time of the occurrence, have already been granted bail by this Court vide orders dated 29.04.2025 and 27.05.2025, respectively. To buttress his arguments, he submits that the petitioner has no criminal antecedents and he is behind the bars from the last more than two years. He further contends that three of the prosecution witnesses have already turned hostile as they have not supported the case of the prosecution. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that the offending vehicle has been got recovered by the petitioner. He submits that



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in order to commit murder, number plate of the car found to have been changed. He submits that case of the petitioner is distinguishable from that of the co-accused, who have been granted bail by this Court. On instructions, he submits that out of total 22 prosecution witnesses, 11 witnesses have been examined so far. He has placed on record the custody certificate of the petitioner.

5. Learned counsel for the complainant has also vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner is the main accused, who committed murder of the deceased.

6. After hearing counsel for the parties and perusing the record, it is deciphered that admittedly case of the prosecution is based on the circumstantial evidence. The petitioner was arrested on 28.12.2023. Co-accused who as per the case of the prosecution were present at the time of occurrence, have already been granted bail by this Court. As per the custody certificate, the petitioner has completed incarceration of 02 years, 03 months & 03 days as on 30.03.2026. Custody certificate of the petitioner further shows that the petitioner has no criminal antecedents. Out of 22 prosecution witnesses, 11 witnesses have been examined. Three of the prosecution witnesses produced by the prosecution, have already been turned hostile.

7. Speedy trial is the right of every accused. The Hon'ble Supreme Court in Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695 has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India.



While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

8. The Hon’ble Supreme Court in a recent decision dated 03.07.2024 in **Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024**, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

9. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

10. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

11. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

01.04.2026

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Whether Speaking/Reasoned :
Whether Reportable :

(RAJESH BHARDWAJ)
JUDGE

Yes/No
Yes/No