



CRM-M-27659-2026 (O&M)

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

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CRM-M-27659-2026 (O&M)

Date of decision : 20.05.2026

SUNITA

... PETITIONER

Versus

STATE OF HARYANA

.. RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Ashwani Bhardwaj, Advocate for the petitioner.

Dr. Malvika Singh, DAG, Haryana.

H.S. Grewal, J.(Oral)**CRM-21634-2026**

1. Allowed as prayed for.

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1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 439 Cr.P.C.) seeking regular bail to the petitioner in case FIR No.397 dated 14.08.2021, registered under Sections 302, 201 and 34 of the IPC (now Sections 103(1), 238 and 3(5) of the BNS), at Police Station Meham, District Rohtak.

2. The case of the prosecution is that the complainant-Satish stated that his brother-in-law (Satyawan) was married to Sunita (petitioner) in the year 1990 and he was having two sons and one daughter. The elder son, namely Karampal @ Rahul, and another son, namely Vikas, were unmarried and both of them were living with their mother-Sunita. Karampal @ Rahul (deceased)



was stated to have some dispute with his mother. It is stated that about two and a half months ago, Sunita (petitioner) left the village after locking her house and the whereabouts of Karampal @ Rahul were not known. As per the complainant, he had a suspicion that Sunita was having some relation in the missing of Karampal @ Rahul and he might be killed by her. It is also alleged that the dead body was recovered from an abandoned house situated adjoining the village, after the floor was dug up.

3. Learned counsel for the petitioner, however, submits that it is a case of circumstantial evidence and the material prosecution witnesses turned hostile and have not supported the prosecution version qua the involvement of the petitioner. It is further submitted that the petitioner is in custody for the last more than 04 years, 09 months and 03 days and is not involved in any other case. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as out of total 27 cited prosecution witnesses, only 15 PWs have been examined and 12 PWs are yet to be examined.

4. Notice of motion.

5. On the asking of the Court, Dr. Malvika Singh, DAG, Haryana, accepts notice on behalf of the respondent and vehemently opposes the prayer for grant of regular bail to the petitioner. She has filed the custody certificate of the petitioner in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 04 years, 09 months and 03 days. She, upon instructions, submits that out of total 27 cited prosecution witnesses, only 15 PWs have been examined and 12 PWs are yet to be examined.



6. I have heard the learned counsel for the parties and perused the record.
7. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more than 04 years, 09 months and 03 days, she is not involved in any other criminal case, it is a case of circumstantial evidence, the material prosecution witnesses have not supported the prosecution case qua the involvement of the petitioner, and that the trial is likely to take a long time to conclude as out of total 27 cited prosecution witnesses, only 15 PWs have been examined and 12 PWs are yet to be examined, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.
8. Reference can be made to the judgment of the Hon'ble Supreme Court in the case of ***Pardeep Kumar @ Banu versus State of Punjab***, bearing Criminal Appeal No.1341/2026 (arising out of SLP(Cri.) No.18775/2025), decided on 13.03.2026, wherein it has been categorically held that where the accused has remained in custody for a considerable period and the trial has not even commenced, or is not likely to conclude in the near future, therefore, continued incarceration would amount to punishment without trial. In such circumstances, further detention pending trial is not necessary and the accused is entitled to be released on bail.
9. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bail bonds, surety bonds to the



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satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

10. However, it is made clear that in case the petitioner misuses the concession of bail, the State/complainant would be at liberty to seek cancellation of his bail.

May 20, 2026
Sonia

(H.S.GREWAL)
JUDGE

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