

CRM-M-35891-2025 (O&M)
CRM-M-70003-2025 (O&M) and
CRM-M-3595-2026 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211+213+218

2026 PHHC:020687



Date of decision: 11.02.2026.

(1)

CRM-M-35891-2025 (O&M)

MANISH SAINI @ MANISH

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

(2)

CRM-M-70003-2025 (O&M)

KRISHAN

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CRM-M-35891-2025 (O&M)
CRM-M-70003-2025 (O&M) and
CRM-M-3595-2026 (O&M)

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(3)

CRM-M-3595-2026 (O&M)

CHIMAN

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

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

Present :- Mr. Abhilaksh Grover, Advocate, with
Ms. Khushboo Garg, Advocate,
for the petitioner in CRM-M-35891-2025.

Mr. Prashant Singh Chauhan, Advocate,
for the petitioner in CRM-M-70003-2025.

Mr. Sandeep Kumar Yadav, Advocate,
for the petitioner in CRM-M-3595-2026.

Mr. Paras Talwar, Sr. DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

CRM-5319-2026 IN CRM-M-70003-2025

Application is allowed as prayed for subject to all just exceptions.

Annexure P-10 is taken on record.

Main cases

The aforesaid petitions have been filed for seeking regular bail in case bearing FIR No.172 dated 16.09.2023, under Section(s) 302 and 34 of the Indian Penal Code, 1860 (Sections 307, 342 and 149 IPC added and Section 34 IPC deleted later on), registered at Police Station Rewari Sadar, District Rewari.

The aforesaid three petitions are being decided by a common order as they arise out of the same FIR.

Custody certificates have been placed on record.

The facts, in brief, are, however, being extracted from CRM-M-35891-2025 titled as Manish Saini @ Manish Vs. State of Haryana.

The facts, in brief, are that on 16.09.2023, the Station House Officer/Inspector of Police Station Sadar, Rewari, received telephonic information from Police Post General Hospital, Rewari, intimating that one Sanjeep, son of Jagdish, resident of Village Unn, District Charkhi Dadri, had succumbed to injuries allegedly sustained in a fight. Acting upon the said information, the SHO, accompanied by ASI Om Prakash No. 258, Head Constable Praveen No. 672, Driver Constable Ajit No. 434 and HGH Surender, proceeded in a Government vehicle to Police Post General Hospital, Rewari. There, a rukka concerning the death of Sanjeep, son of Jagdish, resident of Village Unn, District Charkhi Dadri, was received. Thereafter, the SHO along with the accompanying police officials proceeded to the mortuary. At the mortuary, the SHO met Janesh, brother of the deceased, who submitted a written complaint. In the complaint, Janesh stated that he is a permanent resident of Village Unn, Police Station Bond Kalan, District Charkhi Dadri. He further averred that his younger brother, Sanjeep, had been residing in Rewari for the past three to four years along with his children and was running a scrap shop there, while the complainant and other family members continued to reside in the village. It was stated that on 15.09.2023, while the complainant was present at his residence, he received information that his brother Sanjeep had been murdered. Upon receiving the said information, he

immediately proceeded to Rewari Hospital, where he identified the dead body of his brother in the mortuary. He observed that the body bore multiple injuries. According to the complainant, certain unknown persons had assaulted and killed his brother Sanjeep, and he sought appropriate legal action against the said unknown assailants.

Learned counsel appearing on behalf of the petitioner(s) contend that during the course of investigation, statement of one Sonu, stated to be an eye witness of the incident, was recorded. It is contended that, as per the case of the prosecution, Sonu, the deceased-Sanjeep along with one Hansa were consuming liquor together prior to the incident. Sanjeep (since deceased) borrowed the scooty of Hansa and went for a ride, however, later Sonu is stated to have received a call on his number by an unidentified caller informing him that Sanjeep had met with an accident and had been brought to the General Hospital. He further contends that as per the case set up by the Investigating Agency, after receipt of said information, Hansa telephonically contacted his wife, who in turn conveyed the said information to Krishan. Thereupon, Krishan, accompanied by Manish, reached the liquor vend where Sonu and Hansa were stated to be present and consuming liquor. Chiman Lal, is stated to have been called by Krishan who also came to the liquor vend on his motorcycle. It is further alleged that the deceased- Sanjeep subsequently joined them at the said liquor vend and he was questioned regarding the whereabouts of the scooty by the accused persons - Manish Saini @ Manish, Krishan, Sandeep and Chiman; however, he was unable to furnish any satisfactory explanation or disclose its location. Thereafter, the injured persons along with Sonu, Sanjeep and Hansa went in search for the scooty,

however, the same was untraceable. According to the prosecution, Sonu and Sanjeep were thereafter taken to a secluded place amidst bushes and tied to trees using a plastic wire lying on the spot and given fist and kick blows. After giving beatings to them, the injured Sanjeep and Sonu were brought back to the liquor vend and are stated to have been left near the said liquor vend by the accused persons. Sonu is stated to have thereafter returned to his residence and subsequently came to know that Sanjeep had succumbed to the injuries sustained by him.

Counsel for the petitioner(s) contend that the injuries found on the person of the deceased were in the nature of bruises, abrasions and contusions, which such injuries could have been sustained in the accident. The police has, however, failed to obtain an opinion in this regard and only a general opinion with respect to the nature of the injuries observed on the body of the deceased has been obtained. It is further contended that all the injuries found on the person of Sonu have been opined to be simple in nature. They further contend that the petitioner(s) are in custody since 17th to 19th September 2023, and have thus already undergone an actual custody for a period of more than 2½ years. None of them have criminal antecedents and that only 14 out of 38 witnesses cited by the prosecution have been examined so far and thus, conclusion of the trial shall take long. It is further contended that co-accused Sandeep Yadav has already been granted the concession of regular bail vide order dated 09.12.2025 passed in CRM-M-68356-2025. It is further contended that the witnesses, namely Rekha-wife of deceased Sanjeep and the complainant Janeesh-brother of the deceased have not supported the case of the prosecution. They further contend that even the alleged eye-

witness Sonu has also not supported the case of the prosecution and has been declared hostile. Thus, there is no link evidence to prima facie establish that the injuries in question were inflicted by the petitioners or that the death of the deceased was the direct consequence of injuries attributable to them. It is further contended that the medical record pertaining to the injuries sustained by the deceased as an impact of the accident has neither been scrutinized nor looked into during the course of investigation or trial

State counsel, on the other hand, does not dispute the facts noticed above. He, however, contends that the petitioners had inflicted injuries upon the deceased and that the death occurred as a result of the cumulative effect of the said injuries. It is contended that the large number of injuries found on the person of the deceased is sufficient to attribute motive against the petitioners and to infer that they had knowledge that such injuries were likely to cause death. The period of custody, the stage of the trial and the clean antecedents of the petitioners are not disputed.

Having heard the learned counsel for the parties and taking into consideration the period of custody undergone by the petitioners, the nature of the allegations attributable to them, the arguable issues arising with respect to the manner in which the injuries are alleged to have been sustained, the co-accused of the petitioners already having been granted the concession of bail as well as the stage of the trial where only 14 out of 38 witnesses cited by the prosecution have been examined so far, I deem it appropriate to allow the present petitions. Accordingly, the present petitions are allowed. The petitioners are ordered to be released on bail on their furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate,

concerned.

It is made clear that the petitioners 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.

A photocopy of the order be placed on the connected file(s).

February 11, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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