

137 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026.PHHC.040567



CRM-M-50440-2025 (O&M)

Date of Decision: 16.03.2026

GOVIND @ GOVINDA

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

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

Present:- Mr. Rajesh K. Kataria, Advocate with
Ms. Prabhjot Kaur and Ms. Parul Chaudhary, Advocates
for the petitioner.

Dr. Malvika Singh, D.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.262 dated 22.10.2022 registered under Sections 302, 34, 506 and 120-B IPC at Police Station Guhla, District Kaithal.

2. The case of the prosecution is that on 13.10.2022, brother of the complainant received a call from wife of deceased Raj Pal that her husband has died. Thereafter, on 22.10.2022, the daughter of the deceased, namely, Meenakshi had made a statement to the effect that her father has been murdered by her mother Geeta Devi, her aunt Sunita in connivance with friend of her mother, namely, Govind @ Govinda (the petitioner) and one unknown person.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The statement of the daughter of the petitioner was recorded on 22.10.2022 whereas the

petitioner had died on 13.10.2022. He further submits that there is unexplained delay of 10 days in lodging the FIR and the petitioner is in custody for the last 03 years, 04 months and 22 days and is not involved in any other case.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 03 years, 04 months and 22 days and out of total 20 prosecution witnesses, only 04 have been examined so far.

5. I have heard the learned counsel for the parties and perused the record.

6. As per the directions issued by this Court, the report of the learned trial Court has been received to the effect that on certain dates, the case could not be taken up due to leave of Presiding Officer on one account or the other and thereafter, the material witnesses were seeking exemption and at times not appearing before the Court and till now, the material witness, namely, Meenakshi is yet to be examined and is not appearing before the Court to depose for the prosecution.

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that there is unexplained delay of 10 days in lodging the FIR; co-accused Geeta Devi and Sunita have already expired during the course of trial and the petitioner does not have motive to commit the crime; the petitioner is in custody for the last 03 years, 04 months and 22 days; he is not involved in any other case; out of total 20 prosecution witnesses, only 04 have been examined so

far; the conclusion of trial is likely to take a long time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *'bail is rule and jail is exception'*.

8. 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 his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

(H.S.GREWAL)
JUDGE

16.03.2026

Janki

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