



106(2 cases)
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-50529-2025 (O&M)

Anil Kumar @ Honey VermaPetitioner

versus

State of Punjab and another Respondents

2. CRM-M-65763-2025

SahilPetitioner

versus

State of PunjabRespondent

Date of decision: 08.05.2026

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ruhani Chadha, Advocate (in CRM-M-50529-2025)
Ms. Anmol Thakur, Advocate for
Mr. Sandeep Arora, Advocate (in CRM-M-65763-2025)
for the petitioner(s).

Mr. K.D. Sachdeva, DAG, Punjab.

Mr. Mandeep Singh Sachdev, Advocate and
Mr. Om Malhan, Advocate for respondent No.2.

RAJESH BHARDWAJ, J. (Oral)

CRM-36264-2025 in CRM-M-50529-2025

Application is allowed as prayed for.

Main cases

1. By way of this common order, this Court intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.
2. Petitioners have approached this Court by way of filing the present petitions praying for grant of regular bail to them in case FIR No.08 dated 17.01.2024, under Sections 302 and 34 of IPC, 1860 (Sections 201 and 120-B IPC added later on), registered at Police Station Basti Bawa Khel,



District Jalandhar.

3. Succinctly, facts of the present case are that the FIR in the present case has been lodged on the statement of complainant, namely, Vimlesh Kumar (father of deceased). It was alleged that on 16.01.2024, at about 6:00 PM, he had gone out of the house for some work and while returning, his son met him outside their house who told him that he has been called by Rahul Malhi, Sahil (petitioner in CRM-M-65763-2025), Lucky, Honey Verma (petitioner in CRM-M-50529-2025) and Anurag. It was further alleged that his son told him that previously also some dispute took place between him and the aforesaid persons. Thereafter, his son left the house and did not return during the night. On the next day, the complainant started searching his son and near the factory of Pankaj Chaudhary by the side of sewage canal, he found the dead body of his son. He further found that the murder of his son has been committed with the help of sharp edged weapon. Hence, request was made to take legal action against the accused. Thus, the FIR was registered. On registration of FIR, investigation commenced. Petitioners were arrested on 22.01.2024. On completion of investigation, challan was presented and on framing of charges, the trial commenced. Petitioners approached the learned Additional Sessions Judge, Jalandhar, for grant of bail, however, after hearing both the sides, the said relief was declined to them vide orders dated 21.06.2025 and 01.08.2025, respectively. Being aggrieved, petitioners are before this Court by way of filing the present petition for grant of concession of regular bail.

4. It has been contended by learned counsel for the petitioners that petitioners have been falsely and frivolously implicated in the present cases. It is contended that admittedly, the case is based on circumstantial evidence and the author of the FIR is one Vimlesh Kumar. It is submitted that as per



the allegations, complainant's son Ankul (deceased) 17 years of age, left home on 16.01.2024 at about 06:00 PM, and thereafter, his dead body was found on 17.01.2024. It is submitted that the petitioners have been named in the FIR as they were suspected by the complainant. It is contended that co-accused, namely, Sameer Bhagat, who is a juvenile, was arrested and it is on the basis of the disclosure statement of Sammer Bhagat, petitioners were arrayed as accused. It is contended that the disclosure statement of the co-accused, in itself, is not an admissible evidence. It is submitted that neither the petitioners are involved in the present case nor there is any recovery of any article at their behest. It is submitted that merely on the basis of suspicion, the petitioners cannot be held guilty for the offence as alleged. It is submitted that the material witnesses have been examined and the petitioners are behind the bars from last more than two years and thus, they deserve to be granted regular bail.

5. Learned counsel for the complainant has opposed the submissions made by learned counsel for the petitioners. He has submitted that the petitioners were suspected at the threshold. He has further submitted that during investigation, their complicity has been found and thus, they do not deserve the concession of bail.

6. Learned State counsel has also opposed the submissions made by learned counsel for the petitioners. He has submitted that complicity of the petitioners established during investigation that both the petitioners caused fatal injuries to the deceased with the sword. However, he has submitted that recovery of the weapon cannot be recovered as the petitioners destroyed the weapons. He, on instructions, has submitted that out of total 27 prosecution witnesses, 04 witnesses have been examined. He has placed on record the custody certificate of the petitioners.



7. After hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution rests upon the circumstantial evidence. The author of the FIR is father of the deceased. Though the petitioners are named in the FIR on the basis of suspicion, however, as submitted before this Court, during investigation, evidence produced against them is the disclosure statement of the co-accused. Custody certificate of petitioner-Anil Kumar shows that he has undergone incarceration of 02 years, 03 months and 09 days as on 07.05.2026. It further reflects that he is not involved in any other case. Custody certificate of petitioner-Sahil shows that he has undergone incarceration of 02 years, 03 months and 09 days as on 07.05.2026. It further reflects that though the petitioner is involved in one more case, however, he has been acquitted in the same. As submitted, out of 27 prosecution witnesses, 04 witnesses have been examined till date. Needless to say that every accused has the fundamental right of speedy trial.

8. 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.”



9. 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.

10. The trial of the cases will take sufficiently long time. However, keeping in view the overall facts and circumstances of the present cases, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

08.05.2026
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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