



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

139

CRM-M-51260-2025
Date of Decision: 24.03.2026

RXXX @ LXXX

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Anmol Jindal, Advocate
for the petitioner.
Mr. Rakesh Kumar Jangra, AAG, Haryana.

H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.96 dated 26.03.2024 under Sections 302 and 34 of IPC and Section 25 of the Arms Act, 1959 registered at Police Station Jind Sadar, District Jind.

2. The case of the prosecution is that on 26.03.2024, the dead body of a young boy was found in an empty plot near the fields of Kishanpura. The deceased was later on identified as Ajay Pal who was murdered by slitting his throat with brick and sharp-edged weapon. Subsequently, the petitioner was found involved in the present case and accordingly he was arrested in the present case and the motorcycle allegedly used in the offence was recovered from the petitioner.

3. Learned Counsel for the petitioner contends that the petitioner was juvenile at the time of occurrence and has been falsely implicated in the present case. He further submits that the petitioner was not named in the FIR and he has been implicated in the present case solely on the basis of disclosure statement of co-accused namely Sachin @ Anshu. He further submits that the petitioner is in Observation Home for the last 01 year, 11 months and 26 days and the trial of the case is likely to take a long time to conclude.

4. Learned State Counsel, on the other hand, vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the petitioner in the commission of the alleged offence are very serious in nature and the petitioner has actively participated in the alleged offence. The petitioner does not deserve the concession of bail. Hence, he prays for dismissal of the present petition. Custody certificate in the shape of affidavit of Superintendent of Place of Safety, Karnal produced by the State Counsel is taken on record.

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

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in Observation Home for the last 01 year, 11 months and 26 days coupled with the fact that the trial of the case is likely take a long time to conclude as well as the fact that the petitioner was juvenile at the time of occurrence, this Court is of the opinion that the petition in hand deserves to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, therefore, he is entitled to regular bail during the pendency of the trial.

7. 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/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

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

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

MARCH 24, 2026.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No