



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

**CRM-M No.53976 of 2025 (O&M)
Date of Decision: 24.02.2026**

Meghraj @ Megha

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Khushwant Saharan, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

CRM-6222-2026

Allowed as prayed for.

CRM-M-53976-2025 (O&M)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.0438, dated 19.08.2022, under Section 302 IPC, 1860, registered at Police Station Narnaud, District Hansi.
2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Naresh, son of Dharampal. It was alleged that on 19.08.2022, at around 02:00 A.M., father of the complainant went to the fields to irrigate the crops. It was alleged that at about 04:10 A.M., the complainant received the information that his father, namely, Dharampal (deceased) had received the injuries on his head and he was lying on the road drenched in blood. On receiving the information, the complainant along with his grand father, namely, Baldev reached the fields where he met his Chacha, namely, Chattar Singh. Chacha



of the complainant told the complainant that he was in his field when he saw Dharampal and Megha (petitioner) arguing loudly. On hearing the same, chacha of the complainant, Chattar Singh, reached near the fields of Dharampal (deceased) where he saw that Megha (petitioner) took out *Kassi* from his dala and gave its blow on the head of his brother, Dharampal (deceased). After causing the injuries, the petitioner kept the *Kassi* in the dala and escaped from there. Thus, the request was made to take legal action against the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. Resultantly, the petitioner was arrested on 24.08.2022. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Hisar praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Hisar dismissed the bail application filed by the petitioner vide order dated 21.05.2025. Hence being aggrieved, the petitioner is before this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the complainant is not the eye-witness, however he has lodged the FIR on *hear say* evidence of his Chacha, namely, Chattar Singh. He has submitted that the alleged occurrence has taken place in the fields during the night time. He has submitted that the eye-witness, namely, Chattar Singh though cited by the prosecution as their eye-witness, however, he has been given up by the prosecution on the ground that he has been won over. He has submitted that the star witness of the prosecution was the eye-



witness, i.e. Chattar Singh, who was none other than the brother of the deceased, namely, Dharampal, however, once he has been given up, the case of the prosecution is virtually based on circumstantial evidences. He has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has submitted that the petitioner is behind bars from last about 3½ years. He has submitted that the material witnesses already stand examined and thus, in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the eye-witness has given a specific statement of witnessing the occurrence. He has submitted that the FIR has been lodged on the narration of the complainant and he has been partly examined. He has submitted that the weapon of offence, i.e. *Kassi* and the blood stained clothes were recovered and as per the FSL report, blood group on the clothes and the weapon of offence was found to be B+, i.e. the blood group of the deceased, i.e. Dharampal. He, on instructions, has submitted that out of total 24 prosecution witnesses, 12 witnesses already stand examined. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is primarily based on the eye-witness account of Chattar Singh, who was the brother of deceased, Dharampal. However, as submitted before this Court by learned counsel for the petitioner, Chattar Singh has been given up by the prosecution. It has



further been submitted by learned counsel for the petitioner that the complainant is also avoiding his appearance before the learned trial Court after his examination in chief. All the material witnesses already stand examined. The petitioner is behind bars since the date of his arrest, i.e. 24.08.2022. Custody certificate produced would show that the petitioner has suffered an incarceration of 03 years, 05 months and 28 days as on 23.02.2026. It further reflects that the petitioner is not involved in any other case. Out of total 24 prosecution witnesses, 12 witnesses already stand examined. Needless to say that every accused has the fundamental right of speedy trial.

7. 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.”

8. 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.

9. The veracity of the allegations would be assessed only after the

conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

10. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his 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. Pending application bearing CRM-6223-2026 praying for the grant of interim bail stands disposed of.

24.02.2026

rittu

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No