



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

146

CRA-S-3266-2025 (O&M)
Date of decision: 11.03.2026

Jitender @ Jitu

....Petitioner

Versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Chanderhas Yadav, Advocate for the appellant

Mr. B.S. Saroha, DAG Haryana

Mr. Rajesh K. Dhankar, Advocate for respondent No.2

AMAN CHAUDHARY, J. (ORAL)

CRM-3765-2026

For the reasons mentioned the application, the same stands allowed. Amended grounds of present appeal are taken on record, subject to just exceptions.

CRA-S-3266-2025 (O&M)

1. The present appeal has been preferred against the order dated 14.02.2023 passed by learned Additional Sessions Judge, Rewari, vide which the application seeking regular bail filed by the petitioner stands dismissed in case FIR No.230 dated 16.05.2022, registered under Sections 302, 34 IPC (no challan was filed in Section 34 IPC) and Sections 3, 33, 89 of SC/ST Act at Police Station Model Town, Rewari, District Rewari.



2. Learned counsel contends that the appellant has been in custody for 3 years and about 10 months. The injury attributed to him, though as per the FIR, is with iron rod, however, a plastic pipe stands recovered from him. As per the MLR, there are 2 injuries, one of which is contusion of eye and the complaint of pain in abdomen, he has died after 2 days of hospitalisation and in PMR, there are 10 injuries and. Charges have been framed on 28.09.2022 and out of 22 prosecution witnesses, 12 including those, who were material have been examined. The appellant is not involved in any other case.

3. The custody certificate dated 10.03.2022, filed by the learned State counsel is taken on record. As per the same, the appellant is behind bars for 3 years, 9 months and 22 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the appellant of having caused injuries by beating the deceased. However, he is unable to controvert the submissions with regard to stage and the appellant being not involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the appellant is in custody for the last 3 years, 9 months and 22 days; not involved in any other case; charges were framed on 28.09.2022; material witnesses stand examined and 10 more to go, the trial is likely to take a considerable time, further incarceration of the appellant would be violative of his right enshrined under Article 21 of the Constitution of India, the present appeal is allowed.

7. The order dated 14.02.2023 is hereby set aside and the appellant is



ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The appellant will not tamper with the evidence during the trial.
- (ii) The appellant will not pressurize/ intimidate the prosecution witnesses.
- (iii) The appellant will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The appellant shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The appellant shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The appellant shall not in any manner misuse his liberty.
- (vii) The appellant shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The appellant shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the appellant.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the appellant by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not



be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

11.03.2026
M.Kamra

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