



CRM-M-60606-2025

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

CRM-M-60606-2025

Date of Decision: 05.02.2026

Naresh

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rajesh Bansal, Advocate, for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

Mr. Akash Mehra, Advocate for
Mr. Ajay Ghanghas, Advocate, for
the complainant.**Rajesh Bhardwaj, J. (ORAL)**

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.738 dated 10.08.2023, registered under Sections 195-A, 506 IPC (Sections 201 IPC added lateron during investigation) at Police Station Samalkha, District Panipat.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of the complainant, namely, Kavita. It was alleged that on 18.08.2018, Naresh (petitioner) entered into her mother's house in Vijaynagar and killed her brother Sanjay by stabbing. In that murder case, her son Rahul and daughter Radhika were the main witnesses. Naresh had been granted bail by the Court and after having been granted bail, he was threatening Rahul and Radhika not to depose before the Court. Thus, request was made to take legal action against the accused person. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 03.09.2023. The petitioner approached the Court of learned Additional Sessions Judge (Fast Track Court), Panipat praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner



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vide order dated 03.06.2025. Earlier also, the petitioner approached this Court by way of filing CRM-M-47727-2024 and CRM-M-40920-2025, however, the same were dismissed/dismissed as withdrawn by this Court vide orders dated 13.11.2024 and 05.08.2025, respectively. Hence, the petitioner has again approached this Court praying for grant of regular bail by way of filing the present third petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that the petitioner was already facing the murder charges in earlier FIR, however, this Court had granted him bail after custody of four years. He submits that only in order to get his bail cancelled, the petitioner has been implicated in the present case. He submits that in order to prolong his incarceration, the witnesses did not appear before the trial Court despite the petitioner being behind the bars. He submits that it is only on the direction given by this Court, now both the witnesses Rahul and Radhika appeared before the trial Court and have been examined. He submits that once both the witnesses have already deposed before the trial Court, the alleged allegations of threatening, do not survive any more. He, thus, submits that in the overall facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently controverted the submissions made by counsel for the petitioner. It is submitted that the petitioner is already facing murder trial. On instructions, she submits that both the witnesses i.e. Rahul and Radhika have been examined in the murder trial on 20.01.2026. She submits that out of total 08 prosecution witnesses, 02 witnesses have been examined. She has placed on record the custody



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certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is already facing charges of murder and trial is in progress. The witnesses against whom, the alleged threat was made, have been examined in the murder trial on 20.01.2026. The custody certificate would show that the petitioner has suffered incarceration of 02 years, 05 months & 01 day as on 04.02.2026. It further shows that the petitioner is involved in five other cases, out of which, in two cases he is on bail, in two cases he has been acquitted and in one case he has undergone the sentence awarded to him.

6. 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. 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.

7. 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.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

05.02.2026
sharmila

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