

2026:PHHC:043396



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

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CRM-M-67029-2025
Date of Decision: 19.03.2026

NAVEEN GIRI

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Ms. Shivani Jaglan, Advocate
for the petitioner.

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.13 dated 16.01.2008 under Sections 302 and 201 of IPC registered at Police Station Israna, District Panipat.

2. The case of the prosecution is that the petitioner is stated to have inflicted knife blows to the deceased namely Durga on the right side of his neck, which resulted in his death. It is further alleged that initially the petitioner could not be apprehended by the police.

3. Learned Counsel for the petitioner contends that initially it was a case of blind murder and the petitioner has been arrested in the present case after an inordinate and unexplained delay of 16 years. He further submits that during these 16 years, the petitioner was peacefully residing at his native village and never tried to abscond. Even no notice or summons has been served upon him intimating about

the pendency of any criminal case against him. It is further contended that the case is based on circumstantial evidence and there is no direct evidence to connect the petitioner with the alleged offence. It is further submitted that the petitioner is in custody for the last 02 years, 02 months and 20 days. He further submits that the petitioner is not involved in any other criminal case. He further contends that the trial of the case will take a long time to conclude because out of 23 witnesses, only 03 witness has been examined so far. He thus prays that the petitioner be granted the concession of regular bail.

4. Notice of motion.

5. Mr. Rakesh Kumar Jangra, AAG, Haryana accepts notice on behalf of the State and 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 specific and serious in nature as the petitioner has actively participated in the alleged offence. Hence, he prays for dismissal of the present petition. Custody certificate produced by the State Counsel is taken on record.

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

7. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody for the last 02 years, 02 months and 20 days coupled with the fact that the trial of the case is moving at a very slow pace and is likely take a long time to conclude and the petitioner has been arrested after an inordinate and unexplained delay of 16 years, 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.

8. 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.
9. 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.
10. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

MARCH 19, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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