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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-68967-2025

Date of decision: 29th January, 2026

Ranjit Singh @ Marku

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sandeep Saini, Advocate for the petitioner.
Mr. Neeraj Poswal, A.A.G., Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 73 dated 04.05.2023 registered under Sections 148, 149, 285, 323, 302, 379 and 427 of IPC and Section 25 of Arms Act (Sections 324, 325, 326, 341, 506 and 201 of IPC added later on and Sections 285 and 427 of IPC deleted) at Police Station Dhand, District Kaithal.

2. The aforementioned FIR was registered on the basis of a written statement submitted by the complainant, Pyara Singh, alleging that his nephew Sitaram @ Satish, was engaged in the business of property dealing in partnership with one Parveen, brother of Jitender @ Gogi. A case was registered in the year 2019 on the complaint of the aforesaid Jitender @ Gogi at Police Station Dhand, and Sitaram @ Satish had been providing assistance to Jitender @ Gogi. The members of the rival party consisting of petitioner

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and co-accused Rahul and Baljeet had been pressurizing Satish to not to help the above-named Jitender @ Gogi, and another case was registered against them as they had committed the murder of one Sandeep on 02.07.2019. He alleged that on 18.04.2023, his nephew i.e. the victim Sitaram had accompanied Rahul to the District Court, Kurukshetra, to attend the hearing of the case of murder of Sandeep, and at that time, the petitioner and accused Rahul and Parveen had proclaimed that they would get the victim killed. He further alleged that on 03.05.2023, he had gone to meet his brother Ramdiya and when he left the house of his brother and had reached near the corner of the street, he saw that the victim Sita Ram @ Satish was standing outside his scorpio vehicle and was having conversation with someone with his mobile phone. At the same time, accused Kapil, Mandeep and Anmol reached there accompanied by one unknown person and were seen rushing towards the vehicle of the victim. Simultaneously, accused Baljeet @ Kala and Ajay Rathore along with one unknown person reached there and they damaged the window panes of the vehicle of the complainant. Accused Anmol @ Sunny threw red chilly powder in the eyes of Sita Ram. He raised alarm and rushed towards the rear seat of the vehicle, however, he was assaulted by the assailants who caused injuries to him with the weapons carried by them. A rescue alarm was raised by the complainant and by Kapil. However, the assailants fired three shots with a pistol upon the victim and then fled away. The victim Sitaram @ Satish succumbed to the injuries. After registration of the FIR, investigation proceedings were initiated. Post-mortem examination of the dead body was conducted.

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3. As per the further allegations, the accused Mandeep and Anmol @ Sunny, were arrested on 06.05.2023. Offence under Section 120-B IPC was added. On the disclosure of accused Mandeep and Anmol, accused Vikas @ Budli was nominated. Accused Amarjeet was found involved in giving shelter to the assailants. Offence under Section 212 IPC was added. The petitioner and co-accused Parveen were joined into investigation on 19.05.2023 and were formally arrested. They suffered disclosure statements admitting their involvement in the crime. Offence under Section 180 IPC was added against them. Two other accused were also arrested subsequently. Investigation now stands completed against the petitioner and the apprehended accused. Challan has been presented.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was in custody in some other case at the time of occurrence and was confined in District Jail, Kurukshetra. He was implicated on the allegations of hatching conspiracy with the co-accused, obviously he was not present at the spot. No specific role has been collected by the Investigating Agency to connect him with the allegations of hatching conspiracy with the co-accused. No recovery has been effected from him. The complainant in his sworn deposition has not implicated him in commission of subject offences or hatching conspiracy. He is in custody for a period of over two years and eight months. There are bleak chances of conclusion of trial in near future as only 02 out of 33 prosecution witnesses have been examined so far. He has been acquitted in two of the cases which were registered against him in the past and is not presently involved in any other case. The co-accused

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Rahul Pawar, whose case is on similar footing has since been extended benefit of bail. On parity, he too deserves to be released on bail. Therefore, it is argued that the petition deserves to be allowed.

5. Status report and custody certificate have been filed. Learned State counsel has argued that there are serious and specific allegations against the petitioner, who hatched a conspiracy to eliminate the victim and in pursuance of the conspiracy of that unlawful assembly had killed the victim. The petitioner was main conspirator. The allegations prima facie establish his complicity in commission of subject offences with the aid of Section 120-B of IPC. There are chances of petitioner's intimidating the witnesses if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioner is alleged to have hatched a conspiracy with the co-accused and in pursuance of that conspiracy, co-accused had opened an assault upon the victim Sitaram @ Satish and caused his homicidal death. Undoubtedly, the petitioner was not present at the spot as he was confined in jail in some other cases. As discussed above, the complainant has turned hostile. The petitioner is in custody for a period of two years and eight months. The chances of conclusion of trial in near future are bleak as only 02 out of 33 prosecution witnesses have been examined so far. The prolonged incarceration and inordinate delay in conclusion of trial generally militates against the most precious fundamental right guaranteed under Article 21 of

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the Constitution and in such a situation, an accused becomes entitled to get benefit of bail. Reliance in this regard can be placed upon ***Sagar Ashok Satkar vs. The State of Maharashtra, 2024 SCC OnLine 1748***, wherein Hon’ble Supreme Court had granted concession of bail to the accused on the grounds of delay in trial as well as prolonged incarceration. Similar view has been expressed by the Hon’ble Supreme Court in ***Nilesh Vithoba Gadade vs. The state of Maharashtra and another, Criminal Appeal No. 3040 of 2025, decided on 18.07.2025***. Taking into consideration the above discussed facts, also the ratio of law as laid down in the aforecited authorities, that the trial will take time to conclude and his further incarceration would not serve any useful purpose, this Court is of the considered opinion that a case is made out for release of the petitioner on bail. Accordingly, the petition is allowed, and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

8. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

29th January, 2026
Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No