



CRM-M-69825-2025

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

CRM-M-69825-2025

Date of Decision: 15.01.2026

Virender @ Binder

..... Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rahul Deshwal, Advocate, for the petitioner.

Ms. Diya Sodhi, Sr. DAG, Haryana.

Mr. Dharamveer Phour, 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.380 dated 21.12.2023, registered under Section 302 read with Section 34 IPC, at Police Station Uchana, District Jind.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of the complainant, namely, Amit. It was alleged that his uncle Raja used to do work of farming. On 20.12.2023, at about 10:00 p.m., the complainant heard noise of fight between his uncle and aunt. He jumped over the wall and found his uncle was bleeding from the head. His uncle Raja told him that he was hit by his wife Kusum. The complainant somehow pacified them. In the meantime, his uncle Virender (petitioner) also came there on his bike. In the morning, at about 10:30 a.m., he got a message that his uncle Raja passed away. On hearing this, he went to his uncle's house, where he found his uncle Raja lying dead on the cot, bleeding profusely, with a fodder-cutting machine nearby. The complainant asked his uncle Virender about the incident and he told him that he alongwith his aunt Kusum had beaten his uncle Raja with a stick last night.

It was alleged that his uncle Virender and aunt Kusum had killed his uncle



Raja. Thus, request was made to take legal action against the accused persons. On the registration of the FIR, the investigation commenced. Postmortem of the dead body was conducted and statements of the witnesses were recorded. The petitioner was arrested on 22.12.2023. On the 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, Jind 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 vide order dated 28.10.2025. Hence, the petitioner has approached this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. It is submitted that the deceased and the petitioner are the collateral. He submits that from the allegations made in the FIR, it is apparent that the complainant himself alleged that on hearing the noise, he jumped over the wall and found his uncle Raja bleeding, who told him that he had been given injuries by his wife Kusum. However, in the morning, Raja was found dead, where a fodder cutting machine was also seen. He submits that the deceased was a drunkard and from the postmortem conducted, presence of alcohol was also established. He has drawn attention of this Court to the examination of PW-4 i.e. cousin of the deceased Krishan who also during his cross-examination deposed regarding probability of injuries being suffered by the deceased in the fodder cutting machine. It is submitted that the petitioner has no criminal antecedents and he is behind the



bars from the last more than two years and all the material witnesses already stand examined. He, thus, submits that in the overall facts and circumstances, the petitioner deserves to be granted regular bail.

4. Learned counsel for the complainant has affirmed the fact that the deceased and the petitioner are the collateral.

5. *Per contra*, learned State counsel has vehemently controverted the submissions made by counsel for the petitioner. It is submitted that complicity of the petitioner alongwith the co-accused is duly established during the investigation. She submits that prosecution witnesses have duly supported the case of the prosecution. The ocular version is medically corroborated. She submits that from the postmortem report, it is apparent that the deceased suffered six injuries, which cannot be by the fodder cutting machine. On instructions, she has submitted that out of total 20 prosecution witnesses, 12 witnesses, remain to be examined. She submits that blood stained *danda* has been recovered from the petitioner and the blood group has also found to be matched with that of the deceased. She has placed on record the custody certificate of the petitioner.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the occurrence in the present case took place on 20.12.2023. The complainant alleged that the deceased told him that he was given injuries by his wife Kusum. The custody certificate would show that the petitioner has suffered incarceration of 02 years & 21 days as on 14.01.2026. It further reflects that the petitioner is not involved in any other case of the similar nature. However, he is involved in one case under the Excise Act, however, he is on bail in the same. Both the sides are stated to



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be the collateral.

7. 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.

8. 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.

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

(RAJESH BHARDWAJ)
JUDGE

15.01.2026

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