



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-71874-2025
Date of decision: 17.03.2026

JATIN

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Paras Talwar, Senior DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

CRM-51702-2025

Application is allowed as prayed for.

CRM-M-71874-2025

1. The instant petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 185 dated 14.08.2022, registered under Section(s) 302 read with Section 34 of the Indian Penal Code, 1860 at Police Station Kosli, District Rewari.

2. The FIR in the present case has been registered on the statement of Gunjan wife of deceased Pramod. The same reads thus:-

"I, Gunjan wife of Pramod, resident of Kheri Jat, District Jhajjar, got married approximately 4 months ago to Pramod (aged 34 years), son of Omprakash. Since the time of marriage, I have been residing with my husband Pramod in a rented house belonging to Bhagwan Dass Khatik located in Mohalla Vishwakarma Colony, Kosli. My husband Pramod used to work at a cloth shop. Yesterday, on 13.08.2022 time at around 7:00/8:00 in the evening, both of us (husband and wife) were at our rented house. Our motorcycle was parked in the street. At that time, Satish S/o Maman Chand, who resides ahead of our house and drives an auto, was passing in front of our house in his auto while going home. As soon as he reached in front of our house, he stopped his auto and started abusing my husband with filthy language. My husband Pramod and I came outside, and my husband asked Satish why he was abusing him. To this, Satish said that you always park your motorcycle in the street today, I will show you where to park the motorcycle. Satish then grabbed my husband by the collar and started beating him with slaps and fists. At the same time, Satish's son Jatin came with a jack rod (taken out from the auto) in his hand and hit my husband on the head. Due to these injuries, my husband Pramod fell unconscious on the ground. Both father and son kept hitting my husband. I kept shouting to save my husband. When the nearby people came out of their houses, they left my husband and went away. I arranged a means of transportation and brought my husband to the government hospital in Kosli. Due to the seriousness of the injuries, he was referred to P.G.I. Rohtak." Thereupon, I took my injured husband to PGI Rohtak, where the doctors declared that my husband died due to the injuries inflicted by Satish and his son Jatin. Legal action may be taken against them."

3. Learned Counsel appearing on behalf of the petitioner contends that as per the case set up by the prosecution, deceased Pramod had parked his motorcycle in front of house of the petitioner which led to a minor altercation with the petitioner's father, Satish. In the meantime, Jatin picked up a jack rod and gave blow on the head of deceased Pramod. It is submitted that it would be arguable as to whether the offence under Section 302 of the IPC would be made out or whether it would attract Section 304 IPC on account of sudden fight that had ensued between the parties. It is further argued that the petitioner has already been in actual custody for more than three and half years since 17.08.2022 and since 2023, the complainant has not been turning up to get her statement recorded. He further contends that the petitioner has no other criminal antecedents except for his involvement in an NDPS case which took place while he was in custody. It is submitted that the petitioner is a young boy of 23 years and that continued incarceration is likely to jeopardize all his future prospects.

4. Learned State Counsel contends that the petitioner has been attributed the fatal blows with a jack rod thus resulting in demise of Pramod. He, however, is not in a position to refer to any document on the basis whereof the offence may be said to be pre-meditated and on the basis of any conspiracy on the part of the petitioner. He further does not dispute that the complainant has not been appearing in the present case and only 05 out of a total of 20 witnesses have been examined so far.

5. Having heard learned counsel appearing on behalf of the respective parties, I am of the opinion that the present petition deserves to be allowed in view of the nature of allegations against the petitioner, the period of custody undergone, his young age, the stage of trial as well as arguable

issues with respect to the making out of the offence under Section 302 IPC or not. I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

6. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

MARCH 17, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No