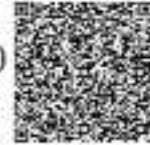


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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M-331-2026

Date of decision: 27th February, 2026

Shashi Pal @ Shish Pal @ Pali

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sunil Goswami, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, 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. 224 dated 05.08.2024 registered under Sections 103(1), 238(2), 140(1) and 61 of BNS and Section 25 of Arms Act, 1959 (Section 140(1) and 61 of BNS and Section 25 of Arms Act added later on) at Police Station Julana, District Jind.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Sanjay alleging that on the evening of 03.08.2024, his brother-in-law Vijay had some argument on phone with an unknown person and thereafter, he had left his house. In the morning of 05.08.2024, his dead body was recovered from village Kharanti Canal. There

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were marks of injury on the dead body. By raising suspicion that someone had killed the victim Vijay, he prayed for taking action.

3. After registration of FIR, investigation proceedings were initiated. Inquest proceedings and post mortem examination of the dead body were conducted. The car of the victim was found lying in an abandoned condition. One mobile phone was also found kept therein which was taken into possession. On 10.08.2024, Sangita, wife of the victim-Vijay produced CCTV footage of the cameras installed in her house as well as some liquor shop and disclosed that on 03.08.2024, accused Kuldeep Singh @ Kula had taken her husband along with him. During the course of investigation, accused Kuldeep Singh and Sandeep were joined into investigation and were arrested on 13.08.2024. They suffered disclosure statements admitting their involvement in the crime and also about the complicity and active participation of the petitioner and accused Sukhwinder @ Deepak. Both of them were nominated as additional accused and were arrested on 24.08.2024. They too suffered disclosure statements. One more accused namely Harshit was subsequently arrested. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He was not named in the FIR. No specific overt act has been attributed to him. He has been assigned the role of that of a conspirator by the co-accused. There is no direct incriminating evidence or even circumstantial evidence to connect him

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with the crime. The co-accused Harshit @ Sonu has been extended benefit of bail. On parity, he too deserves to be extended the same benefit. No useful purpose would be served by detaining him in custody. There are no chances of conclusion of trial in near future as only 01 out of 31 prosecution witnesses, has been examined so far. With these broad submissions, it is urged that the petition deserves to be allowed.

5. *Per contra*, learned State counsel while relying upon the status report, has vehemently argued that keeping in view the gravity of the allegations as levelled against the petitioner and his criminal antecedents, he does not deserve to be released on bail. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is stressed 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 be one of the main conspirators who hatched the entire conspiracy to eliminate the victim. As per the allegations, it was he who had taken the co-accused at the place of occurrence in a Polo vehicle arranged by him, had made the victim sit in his vehicle and after strangulating the victim, had drowned him in the canal till he died and then caused disappearance of offence of murder. He has been linked with the case on the basis of disclosure statement of the co-accused Kuldeep Singh, who had been lastly seen with the victim. The Polo car which was used for commission of the subject crime had been arranged by the petitioner. Trial is

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going on at a proper pace. The complainant stands examined and has supported the prosecution version. The allegations against the petitioner are serious in nature. The well settled proposition of law is that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made in *Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC)*, *Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242* and *State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)*. Taking into consideration the above discussed facts, this court finds no compelling ground to allow the petition. Accordingly, the same is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

27th February, 2026
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No