



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

205

CRM-M-23606-2025 (O&M)

Date of decision: 13.10.2025

Sahil

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

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

Present :- Mr. Ajay Ghangas, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

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**VINOD S. BHARDWAJ, J. (Oral)**

1. The instant petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier Section 439 of Cr.P.C.), for grant of regular bail to the petitioner(s) in FIR bearing No.843 dated 02.10.2022, registered under Section(s) 148, 149, 302, 506, 34, 120-B of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 at Police Station Samalkha, District Panipat.

2. Briefly summarized, the facts of the case of the prosecution as mentioned in the petition reads thus:-

*“That the brief fact of the case are that on 02.10.2022 Ruka was received from Government Hospital Samalkha. That Manoj S/o Sh. Ajit has been brought dead in the hospital and on receiving Ruka police party reached at Government Hospital Samalkha, where Bijender S/o Sh. Deep Chand presented a*



*written complaint and the contents of the complaint are as follows: To, SHO, PS Samalkha, Respected Sir, I Bijender S/o Sh. Deep Chand and I am resident of kuhar Pana Samalkha. I am an agriculturist. On 01.10.2022 in the afternoon my nephew Manoj S/o Sh. Ajit Rio Kuhar Pana told me that on 30.09.2022 during Ram Leela, Himanshu S/o Sh. Rakesh, Sahil and Rustam abused me and on 01.10.2022 me and my nephews Sagar S/o Sh. Karambir both of us after watching Ram leela were going to our house through Bharbuja Gali. After going a long distance in the gali at about 10:30 PM some person were beating my nephew Manoj. When I and Sagar raised our voice, Himanshu @ Ishu S/o Rakesh stepped in the side waist of Manoj with knife and then knife was taken from Sahil by Romy and attacked on hand of Manoj, Rustam Urf Chota attacked with Ice Cobler and the others also attacked upon Manoj, I and Sagar tried to catch them then all of them with their weapon leave the spot saying that one who comes between us he will be killed. I and Sagar brought Manoj to Govt Hospital Samalkha where he was declared dead. Himanshu Urf Ishu, Sahil S/o Sh. Randhir, Romy, Maternal Grand Son of Randhir, Rustam @ Chota and son of Ishu's Mama and other persons all Residents of Balmiki Basti Samalkha has murdered Manoj necessary strict action may be taken against them.” .*

3. Status report filed by way of affidavit dated 11/12.07.2025 on



behalf of the respondent-State is already available on file and the same is taken on record.

4. Learned counsel for the petitioner contends that the petitioner has been in custody since 08.10.2022. He contends that as per the allegations set out by the prosecution, the petitioner was attributed a stab wound. He contends that the knife recovered pursuant to the disclosure statement of the petitioner, does not carry any blood stains. He contends that the deceased had sustained 4 stab wounds. He submits that only 02 prosecution witnesses (eye witness and the complainant) out of the total 25 have been examined so far, but both of them have not supported the case of the prosecution against the petitioner. He further contends that the trial is likely to take a long time in its conclusion and the petitioner is not facing trial in any other case. He contends that the petitioner has been acquitted in two other cases bearing FIR Nos.755/2022, registered under Sections 148/149, 323, 506 and 201 of the Indian Penal Code, 1860 at Police Station Samalkha, Panipat and No. 309/2022 dated 23.04.2022, registered under Sections 148, 149, 323 and 506 of the Indian Penal Code, 1860 also at Police Station Samalkha, Panipat.

5. Learned counsel for respondent-State, on the other hand, contends that the petitioner is attributed a stab injury on the waist which eventually proved to be a fatal injury. She however does not dispute that as many as four stab injuries are reported to have been inflicted on the deceased and that the cause of death of as per the PMR was due to hemorrhage secondary to left renal vessel and intrathoracic injury. She is also not in a position to counter that the eye witness as well as the complainant have not



supported the case of the prosecution. Moreover, it is also not in dispute that the petitioner has already undergone an actual custody of more than 03 years in the present case and only 02 prosecution witnesses, out of total 25 have been examined so far.

6. Taking into consideration the period of actual custody, the stage of trial, both the prosecutions witnesses (eye witness as well as the complainant) not supporting the case of the prosecution and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

7. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

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

9. 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.

**(VINOD S. BHARDWAJ)**  
**JUDGE**

**13.10.2025**

*Mangal Singh*

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