



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

217

CRM-M-49636-2024

Date of decision: August 25th, 2025

Rishipal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. D.S. Virk, Advocate
for the petitioner.

Mr. G.S. Chhina, Senior Deputy Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in FIR No.87 dated 31.03.2024 under Sections 120-B, 148, 149, 302, 323, 341, 427, 325 of the IPC registered at Police Station Cheeka, District Kaithal.

2. Learned counsel for the petitioner submits that the petitioner, even as per the case of the prosecution, was not present at the time of the alleged occurrence and the only role attributed to the petitioner in the murder of Randhir Singh is of being a conspirator to the same. While drawing the attention of this Court to the FIR (Annexure P-1), it has been further argued that all the other persons, who allegedly participated in the crime, had been specifically named and the only mention about the petitioner in the FIR was at the fag end of it and that too, to the effect that all the accused, including the petitioner, after conspiring with each other, had carried out the murder

in question. Learned counsel submits that in the circumstances, it leaves no manner of doubt that a false and fabricated case has been planted upon the petitioner as the complainant party was aggrieved on account of the sister-in-law of the petitioner having eloped with Ajay (brother of the complainant). Learned counsel has submitted that the investigation in the present case is complete and after the charges were framed on 29.08.2024, only one prosecution witness out of the 24 stands examined and the possibility of the trial concluding in the near future does not arise. Hence, the petitioner be enlarged on bail.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner nor has he disputed the stage of trial. It has also not been disputed by the learned State counsel that there are no allegations levelled against the petitioner of either being present along with the co-accused at the time of the alleged occurrence or having inflicted any injury much less fatal on the person of the deceased. However, learned State counsel has reiterated the allegations levelled in the FIR that all the accused including the petitioner had conspired to eliminate the deceased on account of the grudge that they were nursing against the complainant party as the wife of Shishpal (a relative of the petitioner) had eloped with the brother of the complainant.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 01.04.2020. The likelihood of the trial concluding in the near future does not arise as 23 prosecution witnesses still remain to be examined. The petitioner has

not been attributed any injury much less fatal on the person of the deceased nor is it the allegation of the prosecution that the petitioner was accompanying the co-accused at the time of the alleged occurrence.

6. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to say, in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of the same.

August 25th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No