

CRM-M-25646-2025 (O&M)
CRM-M-28208-2025 (O&M)

-1-

2025.PHHC.073109



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

278+281

Date of Decision:- 27.05.2025

I. CRM-M-25646-2025 (O&M)

KULWANT SINGH @ KANTA

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

II. CRM-M-28208-2025 (O&M)

HARMAIL SINGH ALIAS DHOLU

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Arpandeeep Narula, Advocate
for the petitioner(s).

Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

1. By way of this common order, the above-mentioned criminal miscellaneous petitions shall be decided as they arise out of same FIR.
2. Reply dated 26.05.2025 filed in the form of an affidavit of Deputy Superintendent of Police, Kalanwali, District Sirsa, in CRM-



M-25646-2025 is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

3. Arguments heard.

4. The instant petitions have been preferred by the petitioners under Section 483 BNSS, 2023 for grant of regular bail to the petitioners in the following case :-

FIR No.	Dated	Sections	Police Station
01	02.01.2025	105, 115 and 3(5) Bharatiya Nyaya Sanhita, 2023	Kalanwali, District Sirsa, Haryana

5. It is, *inter alia*, contended by learned counsel for the petitioners that the petitioners are innocent and have been falsely implicated in this case. He contends that the petitioners have no criminal antecedents and even no specific overt act is attributed to them. He further contends that no injury has been caused by the petitioners to the deceased, which could be the cause of his death and even as per the medical evidence on record, the cause of death was due to sudden cardiac arrest and the petitioners are not in any manner concerned with that cause. He submits that the petitioners are in custody since 04.01.2025 and after the completion of investigation, challan has been presented in Court and the conclusion of trial will take sufficient long time. Thus, prays for grant of concession of bail to the petitioners.

6. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the grant of bail to the petitioners considering the serious nature and gravity of offence. He has, however, not disputed the fact that the cause of death was sudden cardiac arrest.



7. After considering the rival contentions and perusing the record, it transpires that the deceased Balkaran Singh had expired and the Board of Doctors had opined that the cause of death was sudden cardiac arrest due to underlying coronary vessel disease. As per the allegations, the petitioners along with co-accused had caught hold of the deceased and given fist blows and leg blows, leading to his death. The complainant of the case does not happen be the eye-witness. The petitioners are not having any criminal antecedents and as per the allegations, one slap blow is attributed to the petitioner-Kulwant Singh, while no injury is attributed to petitioner-Harmail Singh. The petitioners are in custody since 04.01.2025 and after the completion of investigation, challan has been presented in Court and the prosecution has cited 18 witnesses, however, none has been examined till date. The criminal liability, if any, of the petitioners, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioners any longer.

8. Consequently, without commenting on the merits of the case, the present petitions are allowed. The petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

9. Any observation made above shall not be construed as opinion

CRM-M-25646-2025 (O&M)
CRM-M-28208-2025 (O&M)

-4-

2025 PHHC 073109



of this Court on the merits of the case.

10. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

27.05.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No