



**In the High Court for the States of Punjab and Haryana
at Chandigarh**

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CRM-M-5687-2025 (O&M)
Date of Decision:- 25.09.2025

Bharat Ram ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Balraj Gujjar, Advocate for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in case FIR No.602 dated 30.06.2024 registered under Sections 323, 34 and 509 of Indian Penal Code, 1860, wherein offence under Sections 302, 307 and 289 of Indian Penal Code added later on and Sections 307 and 323 of IPC deleted, at Police Station Palla, Faridabad, District Haryana.

2. Learned counsel for the petitioner contended that the present petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submitted that no injury is attributed to the present petitioner and the role attributed to the present petitioner is that he caught hold the complainant, and co-accused Pinki, who happens to be the wife of the present petitioner, allegedly hit the complainant's husband (deceased) with an iron pipe and as per MLR, there is only one injury on the head of the deceased. The present petitioner is in custody since 03.07.2024, i.e. more than a period



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of 1 year and 2 months. The investigation of the case has already been completed. Co-accused, namely, Pinki, has been arrested in this case and out of 18 PWs, no witness has been examined and the trial will take sufficient time to conclude. The petitioner is not involved in any other criminal activity. The petitioner deserves to be granted bail.

3. Status report dated 19.08.2025 by way of an affidavit of Sh.Rajesh Lohan, HPS, Assistant Commissioner of Police, Sarai, District Faridabad filed by learned State counsel, is taken on record.

4. Learned State counsel has produced the custody certificate of the petitioner, which shows that the petitioner is behind bars since the last about 1 year, 2 months and 21 days. Custody certificate is taken on record. He has opposed the prayer for grant of regular bail to the petitioner and has submitted that his co-accused has caused head injuries to the deceased, which resulted into fatal injury; material witnesses are yet to be examined and if the petitioner released on bail, he will tamper with prosecution evidence, but the learned State counsel failed to show the Court whether any injury is attributed to the petitioner except that he caught hold the complainant and the main injury, which resulted fatal, is attributed to co-accused Pinki as she hit the deceased. He has submitted that except the present case, the petitioner is not involved in any other criminal activity.

5. Heard.

6. Keeping in view the facts and circumstances of the present case; the role attributed to the petitioner is that he was not armed with any weapon at that time; he has not caused any injury to the deceased; fatal injury is attributed to co-accused Pinki, investigation has already been completed; no



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witness has been examined in this case and the fact that the petitioner is in custody since last about 1 year, 2 months and 21 days; there is no material on the file that the petitioner is involved in any other criminal activity or flee from the process of justice, if he released on bail; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as measure of punishment and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

25.09.2025

Geeta

**(SUBHAS MEHLA)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No