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

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Date of Decision: 15.09.2025

RAJENDER ALIAS RAJENDRA MANDAL

... PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Abhinav Sood, Advocate
for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No.175 dated 13.05.2023, under Sections 302 IPC and later on added Section 201 IPC registered at Police Station Old Faridabad, Tehsil and District Faridabad.

2. Learned counsel for the petitioner contended that the petitioner, who is the father of the deceased is in custody since 14.05.2023. He further submits that the complainant who is the wife of the petitioner and the mother of the deceased son, has not supported the version of the prosecution. The material witnesses including the complainant and the younger son have already been examined and only formal witnesses are yet to be examined. He submits that there is no apprehension that if the petitioner is released on bail, he will temper with the evidence. He also draws attention of the Court towards the observation made by the trial Court in Para 7 of order dated



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13.01.2025 that the complainant and another eye witness namely Anil Kumar have turned hostile and there is no material on record to connect the accused with alleged offence and if case of prosecution is taken as true then also no offence under Section 302 IPC is made out and culpability be decided at the conclusion of the trial. The trial of the case is likely to take considerable time. The petitioner prays for concession of regular bail and he undertakes to abide by all conditions imposed by this Hon'ble Court and assures that he will not tamper with evidence, influence witnesses, or abscond during trial.

3. Learned State counsel has filed the custody certificate, which is taken on record.

4. Learned State counsel, appearing on advance notice, vehemently opposes the prayer for grant of regular bail to the petitioner and submits that in case the petitioner is granted the concession of regular bail, he will misuse the same and fly away from process of law. The petitioner has committed a heinous crime and out of total 21 prosecution witnesses 12 have been examined and 09 are remaining to be examined. However, he has not disputed the fact that material witnesses including the complainant/eye witness have been examined and they have not supported the version of the prosecution.

5. Heard.

6. In view of the submissions of learned counsel for the petitioner and the fact that the petitioner is in custody for more than two years; the material witnesses have been examined and the complainant who appeared as PW-2 have not supported the prosecution's case and not raised any



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accusing finger towards the petitioner. Moreover, another alleged eye witness of the occurrence have also not supported the case of the prosecution and only formal witnesses are yet to be examined; the trial would take sufficient time to conclude, 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. The trial Court is directed to impose conditions as it deem fit for procuring the presence of the petitioner during trial while admitting him on bail.

8. The observation made herein above is only for disposal of instant petition and having no bearing on the merits of the case.

(SUBHAS MEHLA)
JUDGE

15.09.2025

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Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*