



CRM-M-2395-2024

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

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CRM-M-2395-2024

Date of Decision: 29.08.2025

HAPPY SAINI

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Parveen Sharma, Advocate for the petitioner.

Mr. Tapan Masta, Addl. Advocate General, Haryana.

H.S. Grewal, J.(Oral)

1. This petition has been filed for grant of regular bail under Section 439 of Cr.P.C in case FIR No. 234 dated 12.06.2022 registered under Sections 323,34,506 of IPC (302 IPC added later on) at Police Station Rai, District Sonipat, Haryana.

2. The case of the prosecution is that the petitioner along with his co-accused namely Ravi have caused injuries with baton to Suraj on 07.06.2022 and thereafter Suraj died on 22.06.2022 due to the said injuries. It is stated that opinion of the Medical Board was obtained on 19.11.2022 who opined that “ *we are of the opinion that cause of death in this case is septicemia*”.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the altercations was between the complainant and Ravi. The death of Suraj has



taken place due to septicemia and its complications as he was having lungs problem. The petitioner is in custody since 12.12.2022.

4. Learned State counsel has vehemently opposes the grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner in the Court today and the same is taken on record. As per custody certificate, the petitioner is in custody for the last 02 years 08 months and 06 days and is not involved in any other case. He further submits that out of 28 cited prosecution witnesses, 13 have been examined so far.

5. I have heard the learned counsel for the parties and perused the record.

6. Keeping in view the above and the fact that the petitioner is in custody for the last 02 years 08 months and 06 days; 13 witnesses have been examined so far; the continuous detention of the petitioner would not serve the ends of justice, therefore, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

7. Hence, 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 bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. It is clarified that if on bail so granted through the instant order, the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.



9. It is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial court shall decide the case on the basis of material available before it.

29.08.2025

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**(H.S.GREWAL)
JUDGE**

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