



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

217

CRM-M-31049-2024

Date of decision: July 3<sup>rd</sup>, 2025

Jitender @ Rahul

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Abhishek Bansal, Advocate  
for the petitioner.

Mr. Rajat Gautam, Additional Advocate General, Haryana.

Ms. Palak Jain and Mr. Gopal Sharma, Advocates  
for the complainant.

**MANJARI NEHRU KAUL, J. (ORAL)**

Prayer in the instant petition (second) is for grant of regular bail to the petitioner in FIR No.129 dated 29.07.2022 under Sections 302 and 34 of the IPC registered at Police Station Rewari Sadar.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 02.08.2022 in a case of false implication. It has been submitted that it is a case based on circumstantial evidence; rather even as per the case of the prosecution, the petitioner along with the deceased and other accused were consuming liquor together when a quarrel ensued between deceased Karamvir and co-accused Sanjay, who then strangled the deceased. It has been contended that the petitioner did not in any manner participate along with the co-accused in inflicting any injury upon the

deceased much less fatal. Learned counsel has submitted that as per the case of the prosecution, after an attempt was made by the co-accused Sanjay to strangle the deceased, who was rendered unconscious, the deceased was transported by all the accused including the petitioner to an isolated spot, where again he was inflicted an injury not by the petitioner but yet again by co-accused Sanjay. Learned counsel submits that in the circumstances, the petitioner deserves the concession of bail more so when the possibility of the trial concluding in the near future looks remote.

3. *Per contra*, learned State counsel assisted by learned counsel for the complainant has vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted, on instructions, by the learned State counsel that the trial is nearing conclusion with only three formal witnesses remaining to be examined. Hence, there is every likelihood that the trial would be concluding in the near future. It has also been brought to the notice of this Court that all the material witnesses including the witness of last seen have supported the case of the prosecution in its entirety and categorically deposed before the trial Court that the petitioner had actively participated in the crime in question by removing the deceased (who was unconscious at the relevant time) to an isolated spot. He was then assaulted by co-accused Sanjay and once the deceased had succumbed to his injuries, the accused including the petitioner removed the articles from his person including his ATM card, which was then used by them to purchase liquor. Learned counsel for the State has also submitted that the petitioner is a man of previous criminal antecedents and it is a matter of record that he is on bail in one other criminal case, which is

pending against him. Hence, in case the petitioner is enlarged on bail at this stage more so when the prosecution witnesses have supported the case, there is every likelihood that he could abscond leading to the trial getting stalled and delayed.

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

5. No doubt, the petitioner has been in custody since 02.08.2022, however, it has also not disputed that the trial is nearing conclusion with only three prosecution witnesses remaining to be examined. In the facts and circumstances as enumerated hereinabove, this Court is not inclined to extend the concession of regular bail to the petitioner.

6. Accordingly, the instant petition stands dismissed.

7. 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.

8. At this stage, a prayer has been made by learned counsel for the petitioner for issuance of directions to the trial Court for expeditious conclusion of the trial.

9. Since the petitioner has been in custody for more than 2½ years, the trial Court is directed to make earnest efforts to expedite the trial and conclude it preferably within the next three months from today.

**July 3<sup>rd</sup>, 2025**  
*Puneet*

**(MANJARI NEHRU KAUL)**  
**JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : No