



CRM-M-47414-2025

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

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**CRM-M-47414-2025  
Date of Decision: 02.09.2025**

Deepak

..... Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr.S. K. Tripathi, Advocate, for the petitioner.

Mr.Sumit Jain, Addl. A.G., Haryana with  
Ms.Diya Sodhi, Sr. DAG, Haryana.

**RAJESH BHARDWAJ, J. (ORAL)**

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.484 dated 24.12.2022, under Sections 148, 149, 302, 323 & 34 of IPC and Sections 25, 54, 59 of Arms Act, registered at Police Station Sector-14, Panchkula, District Panchkula, Haryana.

2. Succinctly the facts of the case are that the present case was registered on the statement, namely, Divyanshu. It was alleged that on 24.12.2022 at about 5:00/5:30 PM, he along with Rishab and Mukesh @ Munna (deceased) were coming from vegetable market, Budanpur. On the way they met 10/12 boys wherein Santram @ Santu was holding knife and Mastu was holding base ball and Raju and Rahul were holding wooden bat and Golu, Rahul, Deepak (petitioner herein) and Joginder etc. were holding bricks and stone. Due to enmity between both the sides, they opened attacked on them. Mukesh @ Munna was caught hold and Santram @ Santu gave 4/5 knife blows on the body of Mukesh @ Munna and Mastu inflicted injuries with base ball bat, Rahul, Raju, Golu and others started pelting brick and stone. On receiving the knife injuries Mukesh @



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Munna fell down in the street. He was thereafter shifted to Civil Hospital Sector-6, Panchkula. He died due to the knife blows. Request was made to take legal action against the culprits. On registration of FIR, investigation commenced and the postmortem of dead body was conducted. The statement of the witnesses was recorded and on completion of the investigation, challan was presented and on framing of charges, the trial commenced. The petitioner was arrested on 26.12.2022. He approached the Learned Sessions Judge, Panchkula, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Sessions Judge, Panchkula vide order dated 14.08.2025. Aggrieved by the same, the petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that investigation is complete and challan has already been presented. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 26.12.2022, however, there is no progress in the trial. He has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has further submitted that co-accused of the petitioner, namely, Rohit @ Golu has already been granted bail by this Court vide order dated 03.05.2025 passed in CRM-M-55108-2024 and thus case of the petitioner is at par with that of the co-accused. He has further submitted that in the facts and circumstances, the petitioner deserves to be granted bail.



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4. Per contra, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner has played an active role in the commission of offence. He, on instructions, has submitted out of total 23 prosecution witnesses, only 07 witnesses have been examined so far. He has produced on custody certificate of the petitioner today in the Court and the same is taken on record. He has endorsed the fact that co-accused, Rohit @ Golu has already been granted bail by this Court vide order dated 03.05.2025 passed in CRM-M-55108-2024.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the occurrence in the present case had took place on 24.12.2022. The petitioner has been alleged to have given brick blow. The postmortem report reveals that the deceased had suffered 05 injuries which are opined to have been given by a sharpedged weapon. The custody certificate produced would show that he has suffered an incarceration of 02 years, 08 months and 03 days as on 01.09.2025. Custody certificate further reflects that the petitioner has no criminal antecedents. Co-accused namely, Rohit @ Golu has already been granted bail vide order dated 03.05.2025.

6. The trial of the case is likely to take sufficient time. Speedy trial is the right of every accused. The Hon'ble Supreme Court in **Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695** has held as under:

*“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of*



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*India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”*

The Hon’ble Supreme Court in a recent decision dated 03.07.2024 in **Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024**, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

7. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial would refrain itself from commenting anything on merits of the case.

8. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned senior counsel for the petitioner succeeds in making out a case for grant of bail on parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

02.09.2025

Vivek

**(RAJESH BHARDWAJ)**  
**JUDGE**

Whether Speaking/Reasoned : Yes  
Whether Reportable : No