



CRM-M-55026-2024

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

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**CRM-M-55026-2024
Date of Decision: 10.09.2025**

SURAJ KUMAR

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

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

Present:- Mr. Punit Malik, 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 483 of the BNSS (439 of Cr.P.C) in case FIR No. 321 dated 14.11.2020 under Section 302 of IPC registered at Police Station Industrial Sector-7 Manesar Gurugram, Haryana.

2. The case of the prosecution is that the petitioner had crushed the deceased namely Calendar Dass under his trola bearing No. NL-01-AV-9761 which was in the parking lot of OSL Logistics Transport Company. The deceased was hired as a driver on the trola which was used to be driven by the petitioner. It is alleged that the petitioner was removed from the service as he used to quarrel under the influence of liquor.



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3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The entire case is based on the circumstantial evidence. He further submits that there is no evidence on record that the said truck was under the possession of the present petitioner. The iron rods, bottle, and empty liquor bottle recovered from the place of the incident cannot be conclusively linked to the present petitioner as the FSL report did not match with the finger prints of the petitioner.

4. Learned State counsel 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 03 years 08 months and 16 days. On asking, he further submits that out of 29 cited prosecution witnesses only 06 witnesses 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 only 06 prosecution witnesses have been examined so far; the petitioner is in custody for the last 03 years 08 months and 16 days; 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. 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 bail bonds, surety bonds to the

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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.

10.09.2025*renu***(H.S.GREWAL)
JUDGE**

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