



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

238/1

**CRM-M-20707-2024 (O&M)  
Date of Decision:- 21.05.2025**

NEERAJ

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJIV BERRY**

Present : Mr. Kamal Chaudhary, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

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**SANJIV BERRY, J. (ORAL)**

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

<b>FIR No.</b>	<b>Dated</b>	<b>Sections</b>	<b>Police Station</b>
214	04.04.2023	302 and 120-B IPC	Mujesar, District Faridabad, Haryana

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern whatsoever with the allegations levelled in the FIR and even no specific overt act or injury has been attributed to the petitioner in the present case. He further contends that as per



the FIR, the allegation against the petitioner is simply of having conducted the recce and keeping vigil on the house of the complainant. He submits that the petitioner is in custody since 09.04.2023 and despite the challan being presented in Court long back, no witness has been examined till date. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition on the ground that the petitioner has actively participated in the crime by keeping vigil on the complainant, which led the co-accused attacking him, resulting in his murder. Thus, prays for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it is observed that the instant FIR was registered by the complainant alleging that on 03.04.2023 at about 07:00 PM, when he left the house for going on his duty, at that time his wife, two sons and one daughter were at home and on 04.04.2023 at about 01:00 AM, he received a call from his wife that some unknown person had entered their house and caused injuries to their son Vishal with a sharp-edged weapon in his chest and other parts of the body and ran away. Accordingly, the injured was shifted to hospital, where he was declared brought dead. FIR was accordingly registered and subsequently, the present petitioner was arrested on 09.04.2023.

6. After the completion of investigation, challan has been presented in Court, wherein 35 witnesses have been cited by the prosecution, but till date none has been examined. The petitioner is not having any



criminal antecedents and perusal of record would reveal that no specific overt act or injury has been attributed to the petitioner in the alleged occurrence. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending miscellaneous application(s), if any, stands disposed of.

**(SANJIV BERRY)**  
**JUDGE**

**21.05.2025**  
*S.Sharma(syr)*

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No