



CRM-M-45913-2024

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

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CRM-M-45913-2024

Date of decision: 17th January, 2025

Manjeet @ Langra

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gaurav Vir Singh Behl, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition for grant of regular bail as filed by the petitioner in case bearing FIR No. 20 dated 12.01.2020 registered under Sections 302 and 452 of IPC (Sections 376 and 34 of IPC added in challan) at Police Station Sampla, District Rohtak. His previous petition bearing CRM-M-53095-2022 (O&M) had been dismissed by this Court vide order dated 05.03.2024.

2. As per the allegations, the petitioner in-conivance with the co-accused Sunil had committed murder of victim- Sarla @ Babli, who was mother-in-law of the complainant Satpal on 12.01.2020. The petitioner was arrested on 15.01.2020. Presently, he is facing trial for commission of offences punishable under Sections 302, 376 and 452 read with Section 34 of IPC.



3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He is in custody for a period of over five years. At the time of dismissal of his previous petition by this Court, the complainant had not been completely examined. She stands examined now which amounts to a change in the circumstances. That apart, a period of more than ten months has expired since the date of dismissal of his previous petition and keeping in view that the trial is still likely to take time as well as the extended period of his incarceration, he has become entitled to be released on bail. Accordingly, it is urged that the petition deserves to be allowed.

4. Status report has been filed by respondent-State. Learned Assistant Advocate General, Haryana has argued that there are serious allegations against the petitioner. The complainant has supported the prosecution version. Trial is going at a proper pace. There is no substantive or spacious change in the circumstances on the basis of which the petitioner can seek benefit of bail by filing a successive bail petition. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused Sunil is alleged to have committed the murder of the victim, who was mother-in-law of the complainant on 12.01.2020. The complainant had seen them while leaving the house of the victim on the fateful day. He has supported the prosecution version before the learned trial Court. The allegations against the petitioner



are serious in nature. Twelve prosecution witnesses stand examined by now. The record does not show that there would be any undue delay in conclusion of the trial. It may be expedited further. It is well settled proposition of law that when successive bail petitions come before the Court, the Court should be very cautious while considering the same. Successive bail petitions can be entertained by the Court when some substantial change is established by the accused thereby making him entitled for grant of bail. However, in this case, there is no substantial change in circumstances. In *State of Maharashtra Vs. Captain Buddhikota Subha Rao, AIR 1989 Supreme Court, 2292*, it was observed that the Court should not pass an order of release of an accused on bail in successive bail application merely establishing some cosmetic change between time gap of two applications. There must be some drastic change during the period between two applications. Reference can also be made to *Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav and another (2004) 7 SCC 528*, wherein it was observed by Hon'ble Supreme Court that where the offence alleged against an accused is grave, bail cannot be granted only on the ground of long incarceration.

7. Keeping in view the nature and gravity of the offence, in my considered opinion, it is not a fit case to enlarge the petitioner on bail, especially in view of the fact that no drastic or material change in the circumstances has been made out. In view of the discussion as made above, but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.



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8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]
JUDGE**

17th January, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*