



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-37671-2025

Reserved on: 3<sup>rd</sup> September, 2025

Pronounced on: 10<sup>th</sup> September, 2025

Kuldeep @ Kallu

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Johan Kumar, Advocate for the petitioner.  
Ms. Himani Arora, Deputy Advocate General, Haryana.

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**MANISHA BATRA, J :-**

The instant one is the second petition for grant of regular bail filed by the petitioner in case bearing FIR No. 311 dated 21.06.2022 registered under Sections 302 and 34 of IPC at Police Station City Ballabgarh, District Faridabad. The previous petition as filed by him had been dismissed as withdrawn.

2. The aforementioned FIR was registered on the basis of a complaint filed by the complainant Dinesh Kumar alleging that on 20.06.2022, the present petitioner and co-accused Prince came to his grocery shop at about 10:00 PM to buy some goods. His father Sh. Tara Chand was present at the shop and asked the petitioner and the co-accused to give money which was already due to be payable by them and told them that he would give goods to them only thereafter. Both of them felt offended and started hurling abuses to his father. They were in inebriated condition and had a verbal altercation with him. In the next morning, both of them called his father at Tigaon road, Ballabhgarh on the promise of giving back the



money due against them. When the father of the complainant reached there, the petitioner along with the co-accused and some other persons opened an attack upon him with rods, sticks and bricks etc. due to which he sustained serious injuries. He had become unconscious and was rushed to hospital. He, however, succumbed to his injuries and had been declared to be brought dead.

3. After registration of FIR, investigation proceedings were initiated. Post mortem examination of the dead body of the victim was conducted and cause of death was found to be shock and hemorrhage due to injuries sustained in vital organs and due to multiple fractures which were sufficient to cause death in the ordinary course of nature. The petitioner was arrested on 22.06.2022. He admitted his involvement in the crime and suffered disclosure statement. The co-accused was arrested subsequently. Investigation now stands completed and the petitioner along with the co-accused is facing trial.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody since 22.06.2022. No specific injury has been attributed to him. The trial will take considerable time to conclude. Ever since the dismissal of his previous petition on 20.03.2025, no witness has been appeared into the witness box before the learned trial Court. The prolonged period of his incarceration is sufficient for his release on bail. It is, therefore, urged that he deserves to be released on bail.

5. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of the allegations, the petitioner



does not deserve to be released on bail. Therefore, it is urged that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length and has gone through the record carefully.

7. The petitioner along with the co-accused is alleged to have voluntarily caused injuries to the victim and due to the impact of the same, the victim had died. Eleven out of thirty witnesses have since been examined. The allegations against the petitioner are specific and grave in nature. The well settled proposition of law is that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made in *Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC)*, *Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242* and *State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)*. Keeping in view the gravity of the allegations, the quantum of sentence for which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

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

**[MANISHA BATRA]**  
**JUDGE**

**10<sup>th</sup> September, 2025**

Parveen Sharma

1. Whether speaking/ reasoned

: Yes / No

2. Whether reportable

: Yes / No