



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102+202

CRM-38625-2025 in/and CRA-S-185-2025

Date of Decision: 25.09.2025

PREM SINGH

...Appellant(s)

Versus

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. C. R. Narwal, Advocate for the appellant.

Mr. Amit Sahni, Additional Advocate General, Haryana.

Mr. Kamal Choudhary, Advocate for respondent no.2.

TRIBHUVAN DAHIYA, J. (Oral)**CRM-38625-2025**

For the reasons stated, the application is allowed. Statement of complainant is taken on record as Annexure P-6, subject to all just exceptions.

Main Case

The appeal has been filed seeking a regular bail in case FIR no.252 dated 01.10.2023, registered under Sections 148, 149, 323, 324, 302, 307, 506, 34 and 120-B IPC of the Indian Penal Code, 1860, 25/54/59 of the Arms Act, 1959, and 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Chhainsa, District Faridabad, Haryana, and charges have been framed under Sections 148, 149, 323, 324, 302, 307, 506 and 120-B IPC, 25/54/59 of the Arms Act, and 3(2)(v) of the SC and ST Act.

2. As per allegations in the FIR, the petitioner caught hold of Himanshu who was given fatal blows and succumbed to injuries. Another person, Raj Kumar, also died due to injuries attributed to the co-accused.



Atleast seven other persons of the deceaseds' family have received serious injuries in the incident.

3. Learned counsel contends that the petitioner is in custody for about two years and in the videography of the incident, he was not found present. There are forty-seven witnesses to be examined and trial will take some time to conclude.

4. *Per contra*, learned State counsel, on instructions from ASI Rohit Kumar, contends that assertion regarding the petitioner not being present during the incident is wrong. Not only was he specifically named, as per the video recording, which is part of the challan, he was present at the spot. Only one eye-witness has been examined so far, and fourteen more private witnesses remain to be examined. Eight accused are absconding, out of whom two, Deepak and Sunder, have been declared proclaimed offenders. Challan against them has been presented on 28.02.2025. In case the petitioner is released on bail, he will influence the prosecution witnesses.

5. Considering the serious nature of allegations, as also the fact that material prosecution witnesses have not been examined as yet, this Court finds no ground to release the petitioner on regular bail at this stage.

6. Accordingly, the appeal stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

25.09.2025

Ad

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No