



261

CRM-M-16385-2026

-1-

2026:PHHC:062202



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

CRM-M-16385-2026

Date of decision: 23.04.2026

AJRUDEEN @ AJRU

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Mayank Aggarwal, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG Haryana.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.160 dated 13.04.2025 registered under Sections 103(1), 3(5) of BNS, 2023 at Police Station Sadar, District Bhiwani.
2. Brief facts of the present case, as per the prosecution, are that the petitioner along with other co-accused persons murdered the complainant's Son namely Aadil by inflicting injuries on the head with bricks and stones. Hence, the present FIR.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He submits that the petitioner was not present at the time of the alleged occurrence. He argued that even if the contents of the FIR are taken to be true, no specific injury is attributed to the present petitioner. The only role attributed to the petitioner is that he instigated the co-accused to inflict injury. There is a delay of 01 day in registration of the FIR. He further submits that the material witness i.e. paternal uncle of the deceased in front of whose shop, the alleged incident took place has not been cited as a witness. The petitioner is in custody since 27.06.2025. The petitioner has clean antecedents as he is not involved in any



other case. Co-accused has already been granted concession of regular bail by Co-ordinate Bench of this Court vide order dated 10.03.2026 passed in *CRM-M-65350-2025*. He submits that challan has been presented, charges have been framed and out of 23 prosecution witnesses only 04 have been examined, as such the trial may take quite a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate of the petitioner and the status report. He has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the offence committed by the petitioner is serious in nature. However, she could not controvert the fact that the petitioner is a first time offender and is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, particularly the fact that the petitioner is in custody for the last more than 09 months; co-accused has already been granted concession of regular bail by Co-ordinate Bench of this Court; challan has been presented; charges have been framed and out of 23 prosecution witnesses only 04 have been examined; and as such trial may take a long time to conclude no useful purpose would be served by detaining him in further custody.

6. Reliance is also placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement



of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

7. The foundational concept of the criminal jurisprudence is to ensure speedy trial. The Hon'ble Supreme Court has repeatedly reiterated that right to speedy trial is enshrined in Article 21 of the Constitution of India. Speedy trial would cover investigation, enquiry, trial, appeal, revision and retrial etc. i.e. everything starting with the accusation against the accused and expiring with the final verdict of the last Court.

8. In this regard, reference is being made to the law laid down by the Hon'ble Supreme Court in the context of right to speedy trial under Article 21 of the Constitution of India on the following decision:- ***Akhtari Bi Vs. State of M.P., (2001) 4 SCC 355, Surinder Singh Alias Shingara Singh Vs. State of Punjab, (2005) SCC (Crl) 1674, P. Ramachandra Rao Vs. State of Karnataka, (2002) 4 SCC 578, Babu Singh and others Vs. State of U.P., (1978) 1 SCC 579, Takht Singh and others Vs. State of M.P., (2001) 10 SCC 463; Special Leave to Appeal (Crl) No.2356 of 2010, Kushal Singh Vs. State of U.P. (2JJ.) and Fazal Vs. State of Uttar Pradesh, (2012) 5 SCC 752.***

9. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

10. The present petition is disposed off accordingly.

(RUPINDERJIT CHAHAL)
JUDGE

23.04.2026

puneet

- i) Whether speaking/reasoned?
- ii) Whether reportable?

Yes/No
Yes/No