CNR No: PHHC011462822026
2026:PHHC:128892



IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No.50433 of 2026
Date of Decision:-11.09.2026

AXXXXX

…..Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

*****

Present:- Mr. Munish Garg, Advocate
for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

VIKRAM AGGARWAL, J. (ORAL)

The prayer in the present petition instituted under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS'), is for the grant of regular bail to the petitioner in case FIR No.53 dated 09.02.2024 registered at Police Station Civil Lines Kaithal, District Kaithal, under Sections 302 and 34 of IPC, (Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023) (for short, 'the BNS').

2. Status report by way of affidavit of Sh. Pala Ram, Superintendent of Police, Madhuban, District Karnal and custody certificate dated 10.09.2026 filed in Court today, are taken on record. The Registry is directed to tag the same at an appropriate place on the case file.

3. On the statement of one Naresh wife of Satish, the FIR in question was registered, the translated version of which (as given in An-

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nexure P-1) is as under:-

> *"Naresh, wife of Satish, a resident of Balaji Colony, Kaithal, who was present at the scene, gave her statement which was recorded as follows: 'I am a resident of the above-mentioned address and work in domestic chores. I have a son, Ajay, aged 19, who has been abroad for about one and a half years. My husband, Satish, aged approximately 45 years, has been running his own plastic granule manufacturing factory on the dirty drain in Shiv Nagar, Kaithal, for about five years. 3-4, workers used to work there as labourer. The factory's payment of around 7/8 lakh rupees was pending, which was to be received yesterday as Satish had told me about it. I spoke to Satish on the phone around 9 PM last night, and he told me that he had taken tea and was feeling nauseous. Ankit, a resident of Dhamtan Sahib, Axxxx, a resident of Barta, and Ankit's wife Kajal also worked at the factory. I had a conversation with Ankit, and I told him to drop Satish home. However, Axxxx and Kajal said that Satish has taken the medicine and he would sleep here tonight and come in the morning. Later, I called Satish on the phone at night, but his phone was switched off. Today in morning, around 6 AM, I tried calling Satish again, but his phone was still switched off. I thought Ankit and Axxxx would handle things, so I did not go to the spot. Later, the police came to my house and informed me that my husband Satish had died at the factory. I went to the factory and saw the body of my husband, Satish, lying on a cot with a mattress in the tin room of the factory. I suspect that Ankit, Axxxx, and Kajal murdered my husband, Satish. They also took the DVR of the cameras at the scene. My husband's mobile phone is also missing. M/C Parvesh and Mahadev Nepali, who works as a labourer at the factory, were present*

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> *at the scene. There was always tension between my husband and Ankit, Axxxx, and Kajal over money matters. An investigation should be conducted against them, and action should be taken. Your statement has been written and heard at the scene, which is correct. The statement was read and explained to you, and you confirmed it as correct by placing your right thumbprint below your statement, a Kumar.) N which was verified by Vijay Kumar.*"

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that the petitioner is a juvenile in conflict with law and is entitled to bail in terms of the provisions of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter referred to as the '2015 Act'). He further submits that co-accused Kajal, who is the sister of the petitioner, has been granted regular bail by a Coordinate Bench, vide order dated 03.11.2025, passed in CRM-M-45562-2025. He submits that the allegation of giving a hammer blow to the deceased is upon Ankit, who is the sister's husband of the present petitioner and is in custody. Learned counsel further submits that the petitioner is in custody for the last more than two and half years, he having been apprehended on 15.02.2024; investigation stands completed; charges were framed on 13.02.2025; only three witnesses out of 28 witnesses, have been examined; trial will take sufficiently long time and therefore, no useful purpose will be by keeping the petitioner in custody any longer.

5. *Per contra*, learned State counsel has opposed the bail application, stating that the allegations against the petitioner are serious and that

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he is involved in two other cases under the Excise Act.

6. I have considered the submissions made by learned counsel for the parties.

7. Concededly, the petitioner is a juvenile, though being tried as an adult. However, even in such a case, the benefit of Section 12 of the 2015 Act cannot be denied. He is in custody for the last 2 years, 6 months and 25 days. This Court does not find any of the three conditions laid down in Section 12 of the 2015 Act to be applicable, which may have led this Court to decline the concession of regular bail to the petitioner.

8. In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

(VIKRAM AGGARWAL)
JUDGE

September 11, 2026
Preeti S.

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No

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