

CRM-M-14511-2025 (O & M)

2026:PHHC:049465



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(139)

CRM-M-14511-2025 (O & M)
Date of decision:30.03.2026

Kamal Singh

..... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Balram Prashar, Advocate, (Through VC)
for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 483 BNSS, 2023 is for the grant of the regular bail to the petitioner in FIR No.0191 dated 13.09.2007 under Section 302 IPC registered at Police Station Sector 40, Gurugram, Haryana.

2. The present FIR came to be registered at the instance of Dayaram and reads as under:-

Statement of Dayaram, son of Dargahi Lal, caste Pasi, resident of Charehi, Police Station Salwan, District Bareilly, UP, presently working as a gardener at Rishi Public School, Sector-31, Gurgaon, aged 30 years, stated that I am a resident of the above-stated address and have been working as a gardener at Rishi Public School for the past three years. At this school, Nagendra Singh, son of Shiv Raj Bhajan, caste Yadav, resident of House No. 61C, Village Danduya, Police Station Dhawass. District Fatehpur Hasuha, UP, presently working as a conductor, and Rakshakpal Singh, son of Yad Ram, resident of Village Amritpur, Police Station Maraychi, District Etah, UP,



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along with Kamal Singh Mehta, son of Krishna Singh Mehta, resident of Dewal Chaur, Police Station Bageshwar, District Kaptkot, Uttarakhand, also work as conductors and reside in the school premises.

Three to four days ago, a dispute occurred between Nagendra Singh and Kamal Singh in the bathroom over not opening the door while bathing. At that time, I intervened and separated them, but Kamal Singh said he would take care of it later. Last night, after having dinner, I went to my room to sleep, while in another room, Nagendra Singh, Rakshakpal, and Kamal Singh were consuming alcohol. Around 10:00 PM, I heard sounds of a fight. When I got up to check, I saw that Nagendra Singh and Rakshakpal were covered in blood, and all three were seen fleeing from the room. Just before reaching the school's main gate, Nagendra Singh collapsed against a wall. When I went near him, I saw that he was lying unconscious, with severe bleeding from his head, hands, and legs. Meanwhile, Rakshakpal and Kamal Singh Mehta jumped over the school's boundary wall.

I ran outside the school gate and saw Rakshakpal severely injured, bleeding profusely, and unable to speak. I immediately informed the police, and the police vehicle arrived and transported Nagendra and Rakshakpal to the Civil hospital in Gurgaon for treatment. After this, I went to inform Nagendra Singh's brother, Yogendra, who works at a school in Rewari. I have now returned with him. Upon reaching the main gate of the Gurgaon hospital, I met the police and got recorded my statement, which is accepted as correct.

Kamal Singh Mehta, son of Krishna Singh Mehta, a conductor, has unlawfully attacked Nagendra Singh and Rakshakpal with the intention of causing grievous harm. Upon reaching Gurgaon, I came to know that Nagendra Singh had



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succumbed to his injuries. Strict legal action should be taken against Kamal Singh Mehta.

(Signed) Dayaram Attested by: Rama Nand, ASI, Police Station Sector-40, Gurgaon Date: 13.09.2007.

3. The learned counsel for the petitioner contends that there is a delay in the registration of the FIR. The occurrence took place on the night intervening 12/13.09.2007, though, the FIR came to be registered on 13.09.2007. The deceased received incised wounds on his head, though, the attribution to the petitioner is of having caused an iron rod blow. As the petitioner is in custody since 27.04.2024 but only 04 out of the 27 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, the petitioner is entitled to the concession of bail.

4. The learned State counsel, on the other hand, while referring to the status report dated 04.11.2025 which is already on record, contends that the petitioner is duly named in the FIR as the sole accused. He was declared a proclaimed offender on 26.09.2008 and only came to be apprehended on 27.04.2024 i.e. after a gap of 16 years. The injury inflicted with a blunt weapon would look like an incised wound because the seat of the injury is the head. Keeping in view the fact that the petitioner is the sole accused and has remained absconding for 16 years, he is not entitled to the concession of bail.

5. I have heard the learned counsel for the parties.



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6. As per the prosecution case, the petitioner is the assailant who caused the death of Nagendra Singh and injuries to Rakshakpal. After the occurrence, he was declared a proclaimed offender in 2008 and came to be apprehended only in 2024 i.e. after 16 years. The injury attributed to the petitioner is with an iron rod on the head. The blunt weapon which has been used to inflict an injury on the head would give a look of an incised wound. As such, the medical evidence is in consonance with the ocular account

7. Keeping in view the nature of the allegations against the petitioner, his conduct in absconding for 16 years alongwith the fact that 04 of the 27 prosecution witnesses already stand examined and the Trial is moving at steady pace, I do not deem it appropriate to grant him the concession of bail. Therefore, the present petition stands dismissed.

8. The pending application(s), if any, shall stand disposed of accordingly.

March 30, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No