

CRM-M-14313-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14313-2023

Date of decision: 31.07.2023

Krishan Kumar

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Abhishek Kaushik, Advocate,
for the petitioner.

Ms. Ankita Ahuja, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this third petition, the petitioner seeks regular bail in case FIR No.551 dated 27.12.2019, registered at Police Station Pundri, District Kaithal, under Sections 201, 302, 120-B and 34 IPC.

2. Status report dated 25.07.2023 by way of affidavit of the Deputy Superintendent of Police, Kaithal, filed in the Registry, is taken on record.

3. Learned counsel for the petitioner contends that as per the prosecution version, dead body of Neelam, wife of the petitioner, was found lying in the fields; that it was a blind murder, and that the petitioner was indicted on the basis of his two disclosure statements. It is further submitted that as per the status report, in one disclosure statement, the petitioner stated that Neelam had been murdered by strangulating with a shawl, whereas in another disclosure statement, he stated that she had been murdered with a sharp-edged weapon. It is further submitted that step-

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father of the deceased while appearing before the trial Court as PW 5, has not supported the prosecution version and has been declared hostile. Still further, it is submitted that as per the charge-sheet (Annexure P-9), occurrence took place on 12.12.2019, at about 9.00 p.m. However, learned counsel draws the attention of this Court towards statement dated 13.12.2019, got recorded by Neelam in Police Station Women, wherein she stated that she had resolved the issue/dispute with her husband and neighbourer-Manjeet. At that time, the petitioner was also present there. It is further submitted that the petitioner has been in custody since 03.01.2020 and that out of 29 prosecution witnesses, 15 prosecution witnesses have been examined.

4. On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner admitted in his disclosure statement that he had killed his wife with some sharp-edged weapon. It is further submitted that the petitioner had illicit relations with neighbourer-Manjeet wife of Chander Bhan, as would decipher from the statement got recorded by Neelam that she had resolved the issue/dispute with her husband and neighbourer-Manjeet. It is further submitted that material witnesses are yet to be examined.

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

6. It was a blind murder. The petitioner has been indicted on the basis of his disclosure statements. The step-father of the deceased while appearing before the trial Court as PW 5, has not supported the prosecution version and has been declared hostile. The petitioner has been in custody since 03.01.2020. As many as 14 prosecution witnesses are yet to be

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examined. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

7. In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

31.07.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No