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

CRM-M-728-2025 (O&M)

Decided on : 04.12.2025

Pardeep Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. S.S. Nain, Advocate and
Ms. Tanya Vashist, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG Haryana

SANJAY VASHISTH, J. (ORAL)

1. Petitioner- Pardeep Kumar aged 28 years has filed instant petition under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), seeking regular bail in case FIR No. 221, dated 09.10.2023, registered under Section 346 IPC, at Police Station Civil Lines, District Gurugram, Haryana (challan presented under Sections 302 and 34 IPC).

2. The case of the prosecution is that complainant-Dr. Prabodh Kumar Trivedi, got registered the FIR, by alleging that his brother Praveen Trivedi, aged 45 years, who resides in House No. 1479/5, Patel Nagar, Gurugram, works in Rani Polymers Private Limited, Plot No. 87, Sector-8, IMT Manesar, Gurugram, and is unmarried. Everyday they used to talk with each other but no call was received by the complainant since the evening of 05.10.2023. Pradeep Trivedi's Mobile No. is 9810815857. Initially, the case was registered under Section 346 IPC, for missing of the complainant's brother Pradeep Trivedi. Subsequent thereto, on 10.10.2023 in the area falling under the jurisdiction of Police Station Sadar Tauru, District

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Nuh, one Chowkidar, namely, Sonu got registered one complaint in regard to noticing of one dead body, which was lying in a drain near the road going towards Patti and Dawla. The body could not be identified and many injury marks were noticed on the body, which was of the age of about 40 years of person. Resultantly, a separate FIR was registered in District Nuh, i.e. FIR No. 418, dated 13.10.2023, under Section 302 IPC, at Police Station Sadar Tauru (Nuh).

3. There are total four status reports having been filed by the State.

In first status report, dated 20.08.2025, the State has tried to explain its investigation saying that the information in regard to the missing person was uploaded on 'ZIP NET' for the search of missing person, and details of ICICI Bank Account No.864835061817130 of Praveen Trivedi, were obtained alongwith CDR of his mobile No. 9810815857. From the CDR details, it was revealed that Sim Card of deceased's mobile was changed and same was used in another mobile phone, whose IMEI No. was 864835061817130 and location was also found to be of Haridwar (Uttarakhand).

On 14.10.2025, accused Akshay Kumar, who was having mobile phone, bearing IMEI No. 864835061817130, was apprehended and then joined in the investigation. Upon interrogation, he admitted his guilt and then got recovered his mobile phone alongwith Praveen Trivedi's Sim. Further disclosed that his friend Vinay, who also works in Rani Polymer, had knowledge that lot of money is lying in the account of deceased Praveen Trivedi and thereupon they also got involved their another friend Umesh in their plan. Thereafter, Praveen Trivedi was kidnapped and was forced to withdraw an amount of Rs. 3,54,000/-, from his bank account by using ATM card. Thereupon, one WagonR car was also bought by them for a sum of Rs. 72,000/-, and remaining amount was distributed amongst

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the friends. After killing Praveen Trivedi, dead body was also dumped in a street in Village Mohammadpur Ahil. While disclosing the crime, Akshay also disclosed about the complicity of the petitioner-Pardeep Kumar @ Dholiya, apart the involvement of Vinay and Umesh. Thereupon, WagonR Car was recovered and accused were arrested. In the status report dated 20.08.2025, it has also been explained in paragraph No. 9 that after arrest of the petitioner-Pardeep Kumar, he got recovered Praveen Trivedi's purse, torn of docuemnts from the dry drain near U-turn in the vicinity of Bilaspur Chowk, the ATM cards of ICICI Bank and RBL Bank and his motorcycle bearing HR34C7066, which was used in the crime. On disclosure statement of the accused Praveen Trivedi's clothes, towel alongwith the stick, brick and motorcycle battery etc. used in the crime were recorded as destroyed, therefore, for causing disappearance, offence under Section 201 IPC was added in the case.

As per second disclosure statement, the stand taken by the prosecution is that it was the petitioner only, who was having specific knowledge of the amount lying in the bank account of the deceased, therefore, was having the prime purpose in commission of crime.

Third status report, dated 25.11.2025, was filed by the State to answer the query as to what is the evidence in regard to withdrawal of the amount, with the ATM of the deceased. In this regard, explanation submitted is that in fact the recovered ATM cards of ICICI Bank and RBL Bank belong to accused Pardeep only and not to the deceased, and the documents and ATM card belonging to the deceased had already been destroyed, and therefore, Section 201 IPC was invoked in the case.

Again in the fourth status report dated 29.11.2025, factual position is



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clarified by State, stating therein that ATM card of the deceased was never recovered in the present case and recovered ATM cards were of the account of the petitioner's bank account only.

4. Apart the aforementioned factual aspects discussed hereinabove, it need to be gone into, as to what is the connectivity to prove that the dead body, which became subject matter of FIR No. 418 dated 13.10.2023 under Section 302 IPC, registered at PS Sadar Tauru (Nuh) and consequential postmortem report dated 10.10.2023, is of the same person, who was reported to be missing in District Gurugram, vide FIR No. 221 dated 09.10.2023 (supra). Learned State counsel informs that, infact, dead body had already been cremated in District Nuh after conducting postmortem, however, same was got identified by showing photograph of the dead body to the complainant-Prabodh Kumar Trivedi (brother of the deceased).

5. Injuries mentioned in the postmortem report are being noticed, which reads as under :-

Ligature Mark	A reddish abraded ligature mark was transversely preser on the neck, at the level of thyroid cartilage. The ligature mark was situated 6cm below chin, 7cm above suprasternal notch, 7cm below right angle of mandible. 11cm below occipital protuberance, 7cm below left angle of mandible. It was not visible on left side of neck. The width of ligature mark was varying from 1.5cm to 2.5cm a places. The total circumference of neck was 29cm. On layer dissection of the neck, the underlying soft tissues and muscles were ecchymosed. The hyoid bone was found fractured on right greater horr The fractured ends showed infiltration of blood in their bony trabeculea. Thyroid cartilage was intact. The ligature material was not received with the body.
State of eyes	
Pupil (Rt)	Dilated and fixed.
Pupil(Lt)	Dilated and fixed.
Cornea/Conjunctiva(Rt)	Hazy.
Cornea/Conjunctiva(Lt)	Hazy.
Natural orifices (Please note presence of blood, froth etc in mouth, nose, ears(specify(Rt,Lt), anus, vagina and urethra)	



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Mouth was partly opened.	
Any Other Finding	On outer table anterior one third of sagittal suture and medial one third of coronal suture was obliterated and rest sutures were not obliterated. All the permanent teeth were erupted.. The occlusal surface of teeth showed moderate grinding. Hyoid bone was fused Medial ends of both clavicles were fused. Alt sternbrae were fused and xiphoid fused with body of sternum whereas manubrium were not fused.

Counsel submits that since all the injuries are not explained in the disclosure statements of respective accused, it remains uncorroborated as to how the injuries were suffered by the deceased at the hands of the accused in the instant case.

Further, argues that, no specific role has been assigned to the petitioner except, of alleging his involvement in the case, that too, through the disclosure statement of co-accused only by planting the recovery of unrecovered purse and some documents and then by invoking Section 201 IPC. There is no certainty that the account holder Praveen Trivedi was murdered by the petitioner and the amount was withdrawn by the deceased Praveen Trivedi and thereafter was murdered by the petitioner.

Lastly argues that, petitioner is inside jail for the last more than two years and only four prosecution witnesses have been examined out of total 26 prosecution witnesses and petitioner is not indulged in any other similar kind of offence, except of, one under Section 406, 420 and 467 IPC, in which trial is in progress. Thus, prays for grant of regular bail.

6. On the other hand, learned State counsel opposes the bail and submits that the petitioner is involved in serious offence and just for the greed of money, a person has been murdered and releasing him on bail may send a wrong message to the Society.

7. I have considered the submissions addressed by learned counsel for



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the parties and also gone through the record produced before the Court. *Prima facie*, it appears that the case is of circumstantial evidence, as there is no direct eye witness. Further, whether dead body which was recovered from drain is of the same person for whom missing FIR was registered or not is yet to be established by the prosecution, during the course of trial before the trial Court. Whether, mere suspicion of the petitioner, based solely on a disclosure statement, is sufficient for conviction, remains a significant legal question for the prosecution itself to resolve. The petitioner is already in jail for the last more than two years and only 04 prosecution witnesses out of 26 prosecution witnesses have been examined till date.

8. In view of the circumstances, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. Petition stands disposed of.

December 04, 2025

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**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO