

2025:PHHC:160461



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-2884-2024 (O&M)
Reserved on : 11.11.2025
Pronounced on : 19.11.2025

Munish Kumar ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. L. S. Sidhu, Advocate and
Ms. Shefali, Advocate
for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 439 of Cr.P.C., is for grant of regular bail to the petitioner in FIR No. 11 dated 29.01.2023, registered under Section 302 of IPC at Police Station Shimlapuri, District Ludhiana.
2. The aforementioned FIR was registered on the basis of the statement recorded by complainant Chandarpal alleging that his younger daughter Aashu was married to the petitioner about two years back. She was not blessed with any child, due to which, the petitioner used to harass her and extend beatings to her. On 28.01.2023, she had come to the house of the complainant but the petitioner made a telephonic call to her to come back as they had to go to attend the cremation of the mother of his sister-in-law. The victim Aashu had left her parental home saying that she had to attend the cremation, otherwise, the petitioner would quarrel with her. In the next morning, the complainant received information that the petitioner and his daughter were found lying unconscious in their rented accommodation. He went there and found the dead body of his

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daughter lying there. The petitioner informed him that she had hanged herself but the complainant alleged that the petitioner had extended beatings to her and had strangled her to death. After registration of FIR, investigation proceedings were initiated. The postmortem examination of the dead body was conducted and the cause of death was opined to be compression of the neck, which was ante-mortem and sufficient to cause death in the ordinary course of nature. The petitioner was arrested on these accusations. The investigation now stands completed and the petitioner is facing trial for commission of the aforementioned offence.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is no eyewitness to the incident and the FIR has been lodged on the basis of suspicion. The victim had not died a homicidal death but had committed suicide. The petitioner is in custody for a period of about more than 02 years and 09 months. The trial will take considerable time to conclude as only 02 out of 15 witnesses have been examined so far. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. *Per contra*, learned State counsel, in terms of the status report, has argued that there are serious allegations against the petitioner. The complainant has supported the prosecution version. The trial is going on at a proper pace. Long incarceration of the petitioner cannot be considered to be a reason for granting benefit of bail to him. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions.

6. The petitioner is alleged to have caused the homicidal death of the

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victim, who was her wife, by strangulating her. As per the postmortem report, the death occurred due to compression of the neck. The case is based on circumstantial evidence. The dead body of the victim was recovered from her matrimonial house. The circumstances *prima facie* point out towards the complicity of the petitioner in the crime. The allegations against him are serious in nature. The well settled proposition of law is that mere prolonged period of custody is not sufficient ground for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made in ***Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC), Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242*** and ***State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC)***. Keeping in view the gravity of the allegations levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petition does not deserve to be allowed, at this stage. Accordingly, the same is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

19.11.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No