



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

214

Date of decision: 25.09.2025

1. CRM-M-7164-2025

SANJAY KUMAR GUPTA

....Petitioner

Versus

STATE OF HARYANA

...Respondent

2. CRM-M-27177-2025

ANITA DEVI

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. A.K. Chauhan, Advocate and
Mr. Vicky Chauhan, Advocate
for the petitioner in CRM-M-7164-2025.

Mr. Sahil Choudhary, Advocate
for the petitioner in CRM-M-27177-2025.

Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

YASHVIR SINGH RATHOR. J.(Oral)

1. By this common order, petitions bearing CRM-M-7164-2025 & CRM-M-27177-2025 are being decided together, as both these petitions relate to common FIR. For brevity, facts are being taken from CRM-M-7164-2025.

2. Present (second) petitions under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 have been filed for grant of regular bail to the petitioners



in case FIR No.60 dated 03.02.2022, under Sections 302, 201 and 34 of IPC, registered at Police Station Chandimandir, District Panchkula.

3. The present case was registered on the basis of statement given to the police by Shri Ram Sah with the allegations that they are five brothers. Three of them live in Chandigarh, while one brother, namely, Siyaram Sah used to reside with his family at Village Madanpur, District Panchkula, in a rented house. The Contractor sent him a photograph of a dead body on his Whatsapp and he identified it to be of his brother Siyaram Sah. Thereafter, he along with his two brothers, reached the house of Siyaram Sah, where he came to know that Anita Devi, wife of his brother Siyaram Sah had illicit relations with their neighbour Sanjay Kumar and due to this reason, his brother had a quarrel with said Sanjay Kumar a few days ago and he suspected that both Sanjay Kumar and his brother's wife Anita Devi have committed the murder of Siyaram Sah and thereafter, they had thrown the dead body in the gutter of the sewerage and he sought action against them. After registration of the FIR, the matter was investigated. Accused-Anita Devi was arrested on 03.02.2022, wherein, she suffered disclosure statement and admitted having committed the offence in question along with co-accused Sanjay Kumar, who was also arrested on the same day. Thereafter, in pursuance of his disclosure statement, accused-Sanjay Kumar got recovered an iron rod, clothes used at the time of incident, and the destroyed mobile phone of the deceased, which were taken into possession. CCTV footage of the cameras, installed at the house of one Sarabjit Singh were checked from which it was revealed that during the said night, accused-Sanjay Kumar was carrying the dead body of Siyaram, while Anita Devi was following him. After completion of investigation, final



report has been presented for trial against the accused.

4. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

5. Learned counsel for the petitioners contended that the present case is based upon circumstantial evidence, as it was a blind murder. No one had seen the accused committing the murder and they have been implicated merely on the basis of suspicion without there being any evidence of illicit relations of both the accused. Learned counsel further contended that false recovery of mobile phone and clothes have been planted by the Police. Petitioners are in custody since 03.02.2022, but trial has not concluded and even FSL report has not been received till date, and in view of their prolonged incarceration, they are entitled to be released on bail.

6. On the other hand, learned State Counsel has opposed the bail and argued that petitioners have committed a heinous offence. They were having illicit relations which was the motive for committing the crime and after committing the murder, they threw the dead body in the sewerage line but when they were carrying away the dead body, the entire incident was captured in the CCTV cameras and in view of the gravity of the offence, petitioners do not deserve the concession of bail.

7. The allegations against the petitioners are serious in nature. No doubt the present case is based on circumstantial evidence and no one had seen the occurrence taking place, but there is strong evidence against the petitioners in the shape of CCTV footage of the cameras installed in the street outside a house, from which it was revealed that after committing the murder, both the accused carried



away the dead body and thereafter, they threw the dead body in the sewerage line.

8. Taking into consideration the gravity of the offence, petitioners do not deserve the concession of bail and the bail applications are accordingly dismissed.

(YASHVIR SINGH RATHOR)
JUDGE

25.09.2025
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No