



CRM-M-11105-2025

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

CRM-M-11105-2025

Date of Decision: 01.09.2025

KULDEEP

..... Petitioner

*Versus***STATE OF HARYANA**

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Rahul Sidher, Advocate (Through V.C.) with
Mr. Amit Kumar, Advocate for the petitioner.

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

YASHVIR SINGH RATHOR, J. (Oral)

1. This is first bail application for regular bail in case FIR No.589, dated 05.08.2023, registered at Police Station Azad Nagar, Hisar, District Hisar, under Sections 302, 201 and 34 of IPC, 1860.

2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

3. The present case was registered on the basis of complaint given to the police by Subhash son of Sh. Mohan Lal with the allegations that on 23.07.2023 at about 12:00 PM, he alongwith his son Dharampal was working in the fields when Dharampal received a telephonic call from Kuldeep, who is complainants' brother-in-law and said Kuldeep told Dharampal that he has arranged some labour work for him and asked him to reach Adampur Mandi. Thereafter, Dharampal left for Adampur Mandi. On the next day, his brother-in-law Kuldeep came to his house but Dharampal was not accompanying him on which he enquired about Dharampal from him. However, Kuldeep pleaded ignorance about his



whereabouts and thereafter, he searched for his son but he could not be found. On 02.08.2023, his wife Anita told him that her brother Kuldeep has told her that he has murdered Dharampal after strangulating him and has thrown his dead body in the Panihar Chakka Minor/canal and thereafter, Kuldeep went away. On 03.08.2023, he went to Police Station, Bhattu where police had shown him photograph of the dead body of his son Dharampal and he identified the dead body and sought action against Kuldeep. With these allegations, formal FIR was registered. Matter was investigated. During investigation, another accused Mangal who is brother of deceased was also arrested and after completion of usual investigation, final report was presented.

4. Learned counsel for the petitioner argued that petitioner has been falsely implicated in the present case. The present case is based upon circumstantial evidence. The only evidence collected by the police against the petitioner was that deceased had gone to meet him and had not returned and thereafter, he suffered extra judicial confession before mother of the deceased namely Anita that he had committed the murder. However, both the complainant namely Subhash and Anita wife of Subhash have been examined during the trial as PW-2 and PW-3 respectively but they have not supported the prosecution case and have not uttered anything incriminating against the accused. Learned counsel further contended that prosecution case is not likely to improve any further as there is no other circumstantial evidence against him. Co-accused namely Mangal has already been released on bail by a Coordinate Bench of this Court vide order dated 10.01.2025 passed in CRM-M-41497-2024. Petitioner is in custody since 07.08.2023. The trial



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is likely to take some more time to conclude and petitioner be, thus, released on bail.

5. On the other hand, learned State counsel has opposed the bail and argued that petitioner has committed a heinous offence and has murdered his own maternal nephew after strangulating him and thereafter he had thrown his dead body in the canal and he does not deserve the concession of regular bail.

6. Petitioner is in custody since 07.08.2023. The present case is based upon circumstantial evidence. The only evidence against the petitioner was that deceased had gone to meet him and that he suffered extra judicial confession before mother of the deceased, admitting having committed the murder. However, complainant and mother of deceased have already been examined during the trial and they have not supported the prosecution case regarding the aforesaid circumstantial evidence. The trial is likely to take sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

7. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

01.09.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No