



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

CRM-M-11534-2025

Date of Decision:-02.09.2025

Sehdev Chadha.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Parveen Chauhan, Advocate for the Petitioner.

Mr. Ajay Pal Singla, AAG Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this second petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for the grant of regular bail in case FIR No.181 dated 09.05.2024 under Sections 302, 201, 34 IPC registered at Police Station Rajendra Park, District Gurugram.

2. The present FIR came to be registered at the instance of Anil Kumar and reads as under:-

“ To the Incharge Police Post Dhankot, Gurugram Sir it is submitted that I Anil Kumar son of Devinder Sahani resident of village Maali Nagar Simri Police Station Chamaisi District Samastipur, Bihar at present tenant in the house of Surinder at Ram Vihar village Dhanavapur, Gurugram and my elder brother Indal Sahani was residing at village Dhankot along with his wife and children. On 07.05.2024 at about 3:00 PM my sister-in-law (Bhabhi) Lalita Devi informed me telephonically that Indal Sahani is missing since 06.05.2024 and the dead body of one person has been found from Dhankot canal and kindly verify the fact that

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whether the dead body is of your brother Indal Sahani thereafter I along with my family member seen the dead body of my brother Indal Sahani at mortuary Gurugram and Identified him that the dead body found in Dhankot canal is of my brother Indal Sahani who is aged about 45 years and in this regard I verified at my own level that my brother Indal Sahani died due to drowning in the canal but despite that I want to get the post-mortem in order to find out the case of death and after post-mortem the dead body of my brother be handed over to me sd/- Anil."

3. During the course of the investigation, the CCTV footage was obtained as per which the petitioner was seen travelling in a Swift car bearing no.HR-26CX-3088 wherein the deceased was seated on the front seat.

4. The learned counsel for the petitioner contends that the case is based on circumstantial evidence. The petitioner has been falsely implicated in the present case. The CCTV footage is unclear and neither the petitioner nor the deceased were seen travelling in the vehicle in question. Be that as it may, the deceased was seen in the car of the petitioner on 6.5.2024 at 2.52 pm in the afternoon whereas the body of the deceased was discovered on the next day after a gap of appropriately 24 hours. The whatsapp chat does not further the case of the prosecution in as much as it is not inculpatory but discusses appearance before the investigating agency for the purpose of investigation. The material witnesses before whom extrajudicial confessions were made have not supported the case of the prosecution. As the petitioner is in custody since 12.05.2024 but only 05 of the 24 prosecution witnesses have been examined so far including all the material prosecution witnesses, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

5. The Counsel for the State on the other hand has filed Status



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report by way of affidavit dated 25.08.2025 of Mr. Abhilaksh Joshi, HPS, Assistant Commissioner of Police, West, Gurugram in the court today, which is taken on record. While referring to the said Status report he contends that the petitioner was last seen in the company of the deceased who was travelling in the car being owned and driven by the petitioner. Merely because some of the witnesses have turned hostile, would not entitle the petitioner to the grant of bail. He however concedes that the petitioner is in custody since 12.05.2024 and that only 05 of the 24 PWs have been examined so far.

6. I have heard the learned counsel for the parties.
7. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the trial. Admittedly, the petitioner is stated to be in custody since 12.05.2024 and only 05 of the 24 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, his further incarceration is not required.
8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Sehdev Chadha** son of Sh. Rajan **Chadha** is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.
9. The petition stand disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 02, 2025
Vinay

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