



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-11681-2025 (O&M)

Date of decision: 28.10.2025

Sukhwinder Singh @ Sukha

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Deepak Aggarwal, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed for the grant of regular bail to the petitioner(s) in case bearing FIR No.672 dated 13.11.2023, registered under Section(s) 302/201 (initially registered under Section 346) of the Indian Penal Code, 1860 at Police Station Mahesh Nagar, District Ambala.

2. Reply by way of affidavit dated 17.10.2025 on behalf of respondent(s)-State alongwith annexures has been filed by the learned State counsel today in the Court and the same is taken on record. Copy thereof has been furnished to the learned counsel for the petitioner(s).

3. Learned counsel for the petitioner contends that as per the case of the prosecution, the FIR in question had been registered on the statement Suman wife of Pyara Ram, who stated that her husband-Pyara Ram had left the house on 11.11.2023 for work but did not return. During investigation, the dead-body of Pyara Ram was found on 18.11.2023 in the vacant agricultural fields near Radical Company whereupon offence under Section



302 of the Indian Penal Code, 1860 was added. The petitioner was apprehended on 09.12.2023 and that he has been in custody since then.

4. Learned counsel appearing on behalf of the petitioner contends that as per the case of the prosecution, the petitioner allegedly gave a *danda* blow to the deceased and thereafter took him to another factory where he strangled him with the help of a *Parna* (cloth). It is also alleged that thereafter, the petitioner burnt the said *parna* as well as the clothes. He contends that there are no eye witnesses to the said incident who support the case of the prosecution, even though the incident in question is stated to have taken place at around 11.00 A.M. on 11.11.2023. Moreover, absence of any eye-witnesses is highly improbable considering the allegation that the deceased was not only given a *lathi* blow in front of a tea-stall being operated by the petitioner, but was also taken to the premises of an adjacent factory in broad daylight, where he was eventually strangled. He further contends that the nomination of the petitioner as an accused in the present case is based upon an alleged secret information received by the police, however, the circumstances in which he has been apprehended do not inspire any confidence. He contends that undisputedly, the said adjacent factory is not an abandoned unit and is in fact a working industry unit. It would thus be highly improbable that the petitioner could have taken an injured person to the said factory premises and strangled him to death at mid-day when the factory would have been fully functional and a large number of people would have been present there and working at the premises. It is submitted that the bicycle on which the deceased was allegedly travelling was later



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recovered at the instance of the brother of the deceased.

5. He thus submits that the incident in question allegedly took place in broad day-light and in an industrial area which is frequently visited by a large number of people working there and it is implausible that such an act by the petitioner would have gone unnoticed and the incident would be dehors any witnesses and as such the case at hand is based on circumstantial evidence. Moreover, the petitioner has already suffered incarceration for a period of nearly 01 year and 10 months.

6. Learned State counsel does not dispute the aforesaid factum, however, she contends that the recovery of the ration card as well as the ID card of the deceased has been effected on the disclosure statement of the petitioner alongwith a *Danda*.

7. Be that as it may, without commenting on the merits of the case and taking into consideration the arguments noticed above, the period of custody already undergone by the petitioner, the stage of the trial and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

8. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

9. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.



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10. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

28.10.2025
Mangal Singh

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