



S. No.212

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

CRM-M-12312 of 2025

Date of Decision:27.08.2025

Bablu Shefi

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. Naveen Sheokand, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, DAG, Haryana.

Yashvir Singh Rathor, J. (Oral)

1. This is a petition seeking regular bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 read with Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in a case FIR No.267 ndated 11.11.2023 registered under Sections 302, 34 IPC at Police Station Sector-6, Dharuhera, Rewari.

2. The present case was registered on the basis of statement given to the Police by Sher Mohammad resident of Village Ahmed Nagar Asauli, District Badaun, Uttar Pradesh with the allegations that his elder daughter Fatima was married with Bablu Shefi (petitioner) about 15 years ago and they have been blessed with four children out of whom Anas is 13 years of age and is the eldest. His daughter and children reside with Bablu Shefi at Dharuhera who is addicted to



alcohol. He used to beat Fatima and he has tried to counsel him on 2-3 occasions but of no help and about 4-5 years ago also, he had tried to strangle Fatima. However, despite counseling, he did not mend himself. On 10.11.2023, Fatima had spoken to his wife Ruby and told her that her husband has again beaten her today under the influence of liquor and does not give household expenses to her. On the same day, he received information from Police Station Dharuhera that his daughter has died and she has suffered sharp injuries on her neck and some ligature is tied around her neck. Thereafter, he along with his brother, friend Mohammad son Wasim and other relatives reached his house where Fatima was found lying dead and it was revealed that accused Bablu had murdered Fatima by causing injuries with knife and by strangulating her. The matter was investigated. Accused was arrested and after completion of usual investigation, final report was presented.

3. Learned counsel for the petitioner argued that the petitioner has been falsely implicated. The present case is based on circumstantial evidence and no one had seen the occurrence taking place and he has been falsely implicated. Learned counsel further contended that all the material witnesses have already been examined as PW1 to PW4 but none of them has supported the prosecution case. The most material witness was Anas, son of petitioner and deceased but he has admitted during cross-examination that police had forced him to get his statement recorded under Section 164 Cr.P.C but he had not seen his father committing the murder. The other witnesses had not witnessed the occurrence and there is no evidence against the petitioner at this stage. Learned counsel



contended that the petitioner is in custody sine 11.11.2023. The trial is likely to take some more time to conclude and no useful purpose shall be served by keeping him in custody and he may be released on bail.

4. On the other hand, learned State Counsel has opposed the bail and argued that the petitioner has committed a heinous offence. Anas son of the petitioner as well as deceased, had got his statement recorded under Section 164 Cr.P.C before the Magistrate implicating the petitioner as the murderer of his wife. Weapon of offence i.e. knife was also got recovered by the accused from his conscious possession in the presence of witnesses and murder in question has been committed in the house where accused and deceased used to live together and it shall be for the accused to explain as to how his wife died an unnatural death with injuries and due to strangulation. Learned counsel argued that the petitioner does not deserve concession of bail in view of the gravity of the offence.

5. During investigation, elder son of deceased, namely, Anas had got recorded his statement before the Magistarte under Secton 164 Cr.P.C and he had implicated the petitioner as the person, who had committed the murder of his mother who happened to be wife of the petitioner. Petitioner had also got recovered the knife used in committing the crime in the presence of witnesses. There are also allegations that the petitioner had been maltreating his wife for several years and he used to beat her under the influence of liquor. No doubt, PW1 – Ansh, who is aged 15 years, while deposing during his cross-examination has stated that his father was not present at home and he had not seen him



committing the murder yet he being the son of accused may be trying to save him from punishment. However, the veracity of his statement recorded before the Court during trial and the one recorded under Section 164 Cr.P.C can be appreciated at the time of conclusion of the trial. The deceased had died an unnatural death due to injuries and strangulation within her home where she lived along with the accused and it shall be for the accused to explain as to how she died such a death.

6. Taking into consideration the gravity of the offence, I am of the considered opinion that the petitioner does not deserve concession of bail. As such, the present petition is hereby dismissed.

(Yashvir Singh Rathor)
Judge

August 27, 2025
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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No