

CRM-M-14942-2025
Date of Decision:26.05.2025

...Respondent

“To, SHO Sahib Police Station City Kaithal Sir, It is requested that I am Narayan Das, son of Shri Devaram, resident of Nanak Puri Colony, Kaithal. I have two boys and two girls, my elder son is Khemchand, my younger son is Navneet, daughter Seema Rani and my daughter Geeta Rani. Except for my son Navneet, all the other children are married. My son Khemchand lives with his children in his own house in DAV Colony, Khurana Road, Kaithal, separate from me. My son Khemchand married to Puja, daughter of Ramaldas, resident of Nurwala Mohalla,

Panipat, for about 8/9 years. Yesterday, on 28-10-2023, at around 12-30 in the night, my nephew Tekchand, son of Premnath, resident of DAV Colony, Khurana Road, Kaithal, came to me. Who told me that some unknown boy had given many injuries to Khemchand's body, neck, head and face with a sharp weapon. With the help of the people in the neighborhood, I got him admitted to the government hospital, Kaithal. Then I came to know that Dr. Saheb had stripped my son Khemchand and referred him from Government Hospital Kaithal to PGI, Chandigarh. CCTV cameras are installed at the house of Gaurav son of Satish Kumar, resident of DAV Colony, Khurana Road, Kaithal, in the neighborhood of my son Khemchand. When I, my relatives and neighbors checked the CCTV camera footage taken at Gaurav's house, in the CCTV footage, on the night of 28-10-2023, my son's daughter-in-law Pooja opens the main door of her house and But after coming and calling, she places the phone on the corner of the main door and goes across the street towards Charan Das's house on other side and hides herself on the side of the street. After some time, a boy comes from the street on foot with a handkerchief tied over his mouth and stands at the door. The boy picked up the mobile phone kept by Pooja, entered the house, hit Khemchand, who was sleeping on the bed, with a sharp weapon and at around 23.43 hours came out of the house and went on foot. After leaving her son's house, Pooja came out of hiding and instead of going to her own house, she knocked on the doors of the neighborhood and then went to Prem Nath's house and started shouting loudly that someone had entered her house. When the people of the neighborhood reached Khemchand's house after hearing this, Khemchand was lying on the bed in his house in a serious condition, soaked in blood. Then I and my family and members of the organization asked Pooja twice, Pooja told that she has a friendship with Sagar son of Rajendra and Golu son of Fakira Odd

Rajput resident of Kahanor district Rohtak and that Pooja along with Sagar and Golu had planned to remove her husband Khemchand from the way. So that they can meet each other without fear. As part of the conspiracy, Pooja mixed sleeping pills in the food at the behest of Sagar and Golu. Sagar and Golu had come to Kaithal on a motorcycle and Pooja had deliberately kept her phone outside the gate so that Golu and Sagar could call and find out her house. Sagar, who was standing hidden on the side with the motorcycle, and Golu came to the street on foot, entered the house, attacked Khemchand's neck, head, and body with a sharp weapon, hatched a conspiracy, gave intoxicants, and killed my son Khemchand. Injured to commit murder. My son Khem Chand is undergoing treatment in PGI SEC 32, Chandigarh, and is unable to speak. Sagar's son Rajendra and Golu son Fakira residents of Kahanor district Rohtak and my wife Pooja have conspired and given fatal injuries to my son Khemchand with the intention of killing him. I request you to take legal action against Sagar, Golu and Pooja. SD Narayan Das Applicant.”

3. Learned counsel for the petitioner contends that the petitioner has been wrongly named in the FIR only on the basis of suspicion. In fact, it has been alleged in the FIR itself that the name of the petitioner was disclosed by his co-accused to the police. Learned counsel has further placed reliance on the orders (Annexures P-2 to P-4), whereby the concession of bail has been granted to co-accused, namely, Raj Kapoor, Sagar and Pooja by this Court. The petitioner was arrested in the present case on 30.10.2023 and only one witness has been examined so far. Learned counsel further submits that there are no chances of early conclusion of the trial in the present case.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he admits that the petitioner is not involved in any other case.

5. I have heard the learned counsel for the parties and perused the record.

6. The petitioner is in custody for the last more than 01 year and 06 months and no witness has been examined so far. Even the injured has already been discharged from the hospital and is hale and hearty. Moreover, co-accused, namely, Raj Kapoor, Sagar and Pooja have already been granted the concession of bail by this Court, vide orders (Annexures P-2 to P-4).

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

26.05.2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No