

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:176367



337

CRM-M-15815-2025 (O&M)
Date of decision:19.12.2025

Surender Kaur

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sunil Kumar Rana, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The present petition has filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case bearing FIR No.510, dated 26.12.2023, registered under Section 346 IPC (offences under Sections 120-B, 302, 201 and 34 IPC were added lateron), at Police Station Kunjpura, District Karnal.

2. The aforementioned FIR was initially registered under Section 346 IPC on the basis of a complaint submitted by complainant – Ramesh Kumar alleging that his son Sumit had left home on 23.12.2023 and was not traceable since then. During the course of Investigation and on suspicion being raised by the complainant, the present petitioner along with co-accused were joined into investigation. They disclosed that the victim had been murdered. They admitted their involvement in the crime. Place of

occurrence, where the murder of the victim was committed, was demarcated. At their instance, the dead body of the victim was recovered. It was revealed during the investigation that the victim was in love with the petitioner, who was having affair with the co-accused Gulshan, due to which the latter was offended with the victim and hatched a conspiracy with the petitioner to eliminate him. The disclosures made by the petitioner and the co-accused revealed that on the fateful night, she had called the victim and made him go towards the fields and on reaching there, the victim was assaulted and strangled by the co-accused and was done to death. Thereafter, the petitioner had been taken to the place of occurrence by the co-accused. Both of them had lifted the dead body of the victim and to cause disappearance of offence of murder, had thrown the same in Western Yamuna river. The dead body was recovered from the said river. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She was not named in the FIR. She had no motive to kill the victim. The allegations against her are only qua causing disappearance of dead body of the victim. There is no eye witness to the murder of the victim. The case is based on circumstantial evidence and there is no circumstance to connect her with the crime. The trial will take considerable time to conclude. Her continued detention would not serve any useful purpose. It is, thus, argued that the petition deserves to be allowed.

4. Per contra, learned State counsel has argued that there are serious and specific allegations against the petitioner, who in connivance with the co-accused had hatched a conspiracy to eliminate the victim, who was in love with her whereas she was in love with the co-accused. The call

detail record of the victim, petitioner and the co-accused has been collected by the Investigating Agency and it has been found that she had been in continuous conversation with the co-accused as well as the deceased by separate members. Footage of the CCTV camera installed in the area of the village Dadupur to Kurali has also been collected which shows the petitioner and the co-accused while taking the dead body of the victim on a motorbike and while coming back. There are sufficient incriminating circumstances showing the complicity of the petitioner in the crime. The allegations against her are serious in nature. The trial has commenced and there is nothing on record to show that there would be any undue delay in conclusion of the same. It is, hence, submitted that the petition does not deserve to be allowed.

5. I have heard rival submissions made by learned counsel for the parties.

6. The petitioner is alleged to have hatched a conspiracy with the co-accused to eliminate the victim and in pursuance of the said conspiracy, she is alleged to have made the victim go towards the fields of the village, where the co-accused assaulted him and killed him by strangulating him and inflicted other injuries on his person. As per the allegations, the petitioner had also reached at the place of occurrence and then both of them had thrown the dead body of the victim in a canal in order to cause disappearance of evidence of offence of murder. The petitioner is shown to have taken an active part in the murder of the victim. She might not have individually assaulted the victim but her complicity prima facie stand established from the record. The allegations against her are quite serious in nature. The trial has commenced. Out of 17 witnesses, 05 stand examined.

As such, it is going at a proper pace. Taking into consideration the gravity of the allegations levelled against the petitioner, the specific part attributed to her, the quantum of sentence that the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, lest the same prejudice the trial in any manner, this Court is of the considered opinion that no case for allowing the present petition is made out.

7. Accordingly, the petition is dismissed.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

19.12.2025

harjeet

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