



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

CRM-M No.20592 of 2024
Date of decision: 19th May, 2025

Ramesh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Manjeet Garhwal, Advocate for
Mr. Sahil Chaudhary, Advocate for the petitioner.
Mr. Yuvraj Shandilya, Asst. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of regular bail under Section 439 read with Section 482 of Cr.P.C. in case bearing FIR No.884 dated 17.12.2021 under Sections 302, 201, 34 of the IPC registered at Police Station Assandh, District Karnal, Haryana.

2. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the instant FIR (Annexure P-1), pertaining to the alleged murder of one Joginder Singh. It is submitted that a bare perusal of the FIR reveals that the petitioner was neither named therein nor was any specific role attributed to him in the commission of the offence. The petitioner, it is argued, has been nominated solely on the basis of the disclosure statement of a co-

accused, which, it is urged, is inherently weak in evidentiary value and cannot by itself form the basis for implicating the petitioner in such a grave offense.

3. Learned counsel further submits that the prosecution case is founded entirely on circumstantial evidence. It is pointed out that the petitioner has been in custody since 22.12.2022 and the trial is proceeding at a slow pace, with only 12 out of 19 prosecution witnesses examined so far. In these circumstances, it is argued that further incarceration of the petitioner would serve no useful purpose.

4. Per contra, learned State counsel, while vehemently opposing the prayer and submissions made by the counsel opposite, has on instructions, submitted that the petitioner was present at the scene of occurrence and actively participated in the commission of the alleged crime. It has been further submitted that the motive behind the murder of Joginder Singh is linked to an illicit relationship between the petitioner and the wife of the deceased, Komal, which allegedly led to a conspiracy to eliminate the deceased.

5. It has been further asserted that the deceased was made to consume liquor prior to his murder, and an empty liquor nip was recovered from the possession of the petitioner. The body of the deceased was thereafter disposed of by being thrown into a canal. Significantly, it is submitted that the most material witness, Rameshwar Singh has already been examined before the trial Court and has not only identified the petitioner but has also fully supported the case of the

prosecution. It has still further been submitted, on instructions, that the injuries sustained by the deceased were ante-mortem in nature. The learned State counsel has also submitted that the trial is now at an advanced stage, with only 7 out of 19 prosecution witnesses, mostly formal in nature, left to be examined.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. The petitioner is prima facie implicated in a serious and heinous offence involving the alleged murder of Joginder Singh. The presence of incriminating material on record, including the statement of a witness of last seen, Rameshwar Singh, who saw the deceased in the company of the petitioner on the fateful day, soon before he was done to death, has supported the case of the prosecution and clearly identified the petitioner, which cannot be ignored at this stage.

8. The fact that the petitioner was not named in the FIR, is not, by itself, a ground for grant of bail, particularly when there exists sufficient material gathered during the course of investigation pointing towards his involvement. The motive attributed to the petitioner, the recovery affected, and the circumstances surrounding the incident are all aspects which call for scrutiny at the stage of trial and not while considering the petitioner's prayer for bail.

9. In view of the foregoing and keeping in mind the seriousness of the allegations, the stage of trial and the nature of evidence already recorded, this Court does not deem it fit to extend the

concession of bail to the petitioner in the instant case. The petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 19, 2025

rps

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