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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.18277 of 2025
Date of Decision: 02.09.2025
Reserved on: 27.08.2025

Nihal Singh Yadav ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Aditya Sanghi, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
114	09.04.2024	Kasola, District Rewari	201, 302, 34, 120-B and 379 of IPC

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of complaint lodged by complainant Shyampat Singh on 09.04.2024 alleging that he owned a workshop under the name of Laksh Industries. On the same day at about 10:30 AM, he was going towards his workshop

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when he noticed some foul smell emanating from a pile of cement blocks kept under the Sangwadi flyover. On closer inspection, he found dead body of a male lying there. A case under Sections 201, 302 and 34 of IPC was registered. Postmortem examination of dead body of the victim was got conducted. The same was later on identified to be of that of the victim Pradeep. The dead body was handed over to the family members after completing due formalities. During the course of investigation, call detail records of the cell phone numbers belonging to the deceased were obtained and it transpired that one Rajendra had been using a sim No.7017498599 on the mobile phone of the victim. The said Rajendra was joined into investigation on 14.04.2024 and disclosed that he had purchased the mobile phone which actually belonged to the victim from one Satbir who was running a mobile phone shop. Satbir was also associated with investigation and disclosed that accused Nekpal had given mobile phone to him for repair and sale. The accused Nekpal and Nanhe Khan was joined into investigation on 15.04.2024. They were interrogated and suffered disclosure statements admitting their involvement in the murder of the victim. They demarcated the place of occurrence and got recovered the truck belonging to the deceased. Offences under Sections 379 and 120-B of IPC were added as recovery of other stolen articles were also effected from the accused Nekpal and Nanhe Khan.

3. As per the further allegations, on the basis of the disclosure statements of accused Nekpal and Nanhe Khan, the present petitioner was nominated as an accused. He was arrested on 17.04.2024. On interrogation,

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he too suffered disclosure statement to the effect that accused Nekpal who was a co-villager had asked him to get him employed as a driver and on his asking, he had told the abovesaid accused to contact the victim. On 05.04.2024, the victim and accused Nekpal had left Baramati, Maharashtra State for Gurugram in the truck of the deceased. The said truck was carrying three wheelers. On the way, an altercation had taken place between the deceased and accused Nekpal and the latter had called him at a dhaba where he was present. He further disclosed that on the intervening night of 06/07.04.2024, he along with accused Nekpal had strangled the victim with the help of a parna. His dead body was thrown near a flyover and five steponies and five batteries of the three wheelers loaded in the truck of the deceased were taken by them and were kept in his ECO make vehicle. Investigation has since been completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused which cannot be considered to be admissible in evidence. There is no direct incriminating evidence against him. The co-accused Nanne Khan whose case is on similar footing has since been extended benefit of bail. On parity, he too deserves to be extended the same benefit. The trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, urged that the petition deserves to be allowed and he deserves to be released on bail.

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5. Status report has been filed. It is argued by learned Deputy Advocate General, Haryana that the allegations against the petitioner are quite serious in nature. He is an active participant in the crime as he along with the co-accused had strangled the victim to death and had disposed of his body by hiding it under cement blocks and had also committed theft of the articles kept in the vehicle of the deceased. It is, therefore, submitted that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner along with the co-accused Nekpal is alleged to have committed the murder of the victim and as per the further allegations had concealed his dead body under cement blocks to cause disappearance of evidence of offence of murder. The case of the petitioner cannot be stated to be at parity with the case of the co-accused Nanne Khan who has been extended benefit of bail by the Coordinate Bench of this Court since the allegations against him were that he had removed five batteries and five steponies from the three wheelers kept in the truck of the deceased and had put them in his ECO car and that he along with the petitioner and co-accused Nekpal had thrown the dead body of the victim near flyover. The allegations against the petitioner are quite serious in nature which show his direct complicity in the crime. There is nothing on record to show that there would be any undue delay in conclusion of the trial. Gravity of offence is prime consideration for grant of bail to an accused in serious offences. Keeping in view the nature of the allegations as levelled against the petitioner, the



quantum of sentence which 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 the petition does not deserve to be allowed. Accordingly, the same is dismissed.

<u>02.09.2025</u>	(MANISHA BATRA)
manju	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No