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2025:PHHC:109490



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

**CRM M-18379 of 2025
Date of Decision: 20.08.2025**

Iqbal @ Iqbal Khan

...Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sunil Panwar, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of B.N.S.S., 2023 with a prayer to grant regular bail in case FIR No.61 dated 13.04.2024 registered under Sections 148, 149, 323, 452, 302 and 506/34 of IPC at Police Station Pinangwa, District Nuh.

2. The FIR in the present case has been registered on the basis of the statement made by Javed son of Sohrab and the same has been reproduced below:-

""To the SHO, Police Station Pinangwa. Subject: Regarding murder by entering the house at night and making a deadly attack. Sir, I humbly submit that I am Javed son of Sohrab, a permanent resident of village Dhadholi Kala, Police Station Pinangwa, District Nuh, Haryana. Sir, my sisters Khairuna, Shahnaz were married to Sahud, Sahid sons of Subhan Khan, resident of village Rehna, Police Station Nuh, according to Muslim customs. The accused beat up my sisters and drove them out of the house on 12.04.2024. In this regard, when my father explained to Sahud and Sahid over the phone. the accused got furious and said that we will come there and teach you a lesson. On 12.04.2024 at around 2:30 in the night, Sahud, Arshad, Iqbal. Sahid sons of Suban Khan, Suban Khan son of Rehmat, Ansip son of Jaikam. Waris son of Yahuda, Yahuda, Jaikam sons of unknown, Saira wife of Suban Khan and 3-4 other residents of village Rehna, Police Station Nuh came to our house and as soon as they came, they entered the room and attacked my father, who was lying in the room. The accused together beat my father badly with kicks, punches, sticks, iron rods, Sahud hit Sohrab's waist with the iron rod in his hand and Arshad hit his thigh with the iron rod in his hand and after that all the accused together hit my father's stomach with punches and kicks. My father became half dead due to the injuries inflicted by the accused. On hearing the noise of scuffle, Sahun son of Sohrab, Javed son of Sohrab, Khurshid son of Muhar Khan reached there. The accused went from there, threatening that they have

killed and if anything was said to them, they would kill them too. We informed the police about this by calling on phone number 112 at around 3.30 am. We immediately took our father to Agrawal Hospital, Tapukda in a private vehicle for treatment, where he was referred to Rewari due to serious condition. My father died on the way due to injuries inflicted by the accused. Therefore, you are humbly requested to register a case against the above accused and take strict legal action. It shall be your kindness. Sd/-Javed Applicant:- Javed son of Sohrab resident of village Dhadholi Kalan, Police Station Pinangwa, District Nuh Haryana. Mob. 9671697585.”.

3. Learned counsel for the petitioner contends that initially the complainant had named 10 persons as assailants in the FIR and had stated that 3/4 other persons were accompanying them. However, during the course of investigation, 09 main accused, namely, Sahid, Arshad, Suban Khan, Saira, Aasip, Waris, Yahuda, Jaikam and owner of the car were found innocent by the police during the course of investigation. The petitioner has been falsely involved in the present case being the youngest brother of two brothers-in-law of Javed, complainant. He further contends that Shehnaz and Khairuna, two sisters of the complainant were married to elder brothers of the petitioner, Sahid and Sahud and are still staying with the family of the petitioner. He further refers to the statements of PW1 Javed, PW2 Sahun, PW3 Mohar Khan, PW4 Khurshid, PW5 Khariuna @

Khairunisha, PW6 Sehnaj and PW7 Sahid to contend that all the material witnesses in the present case have turned hostile. Thus, there are no chances of tampering with the prosecution evidence. He further contends that the petitioner was arrested in the present case on 22.04.2024 and the trial is not likely to conclude in near future.

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

5. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

6. It is not in dispute that the petitioner is continuing in custody since last more than 01 year and 04 months. Even, all the main accused, who were named by the complainant in the present case have been found innocent during the course of investigation and most of the version of the prosecution was found false. Moreover, 07 material witnesses of the prosecution have refused to support the case of the prosecution. Thus, further custody of the petitioner will not serve any meaningful purpose.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the

satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

20.08.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

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