



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-24062-2025

Reserved on: 30th October, 2025Pronounced on: 6th November, 2025

Parveen

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Partap Singh, Advocate,
Mr. Vikas, Advocate and
Mr. Manav Sharma, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 1084 dated 12.12.2022 registered under Sections 346 of IPC (Sections 302, 201, 328, 120-B of IPC were added and Section 346 of IPC was deleted) at Police Station Samalkha, District Panipat.

2. The aforementioned FIR was initially registered under Section 346 of IPC on the basis of complaint submitted by the complainant Rajat alleging therein that his younger brother Ravi @ Moni had left home on the evening of 11.12.2022 for going to Karnal and had not returned till 12.12.2022. After registration of FIR, investigation proceedings were initiated. On 18.12.2022, the complainant submitted a written application



suspecting that his brother might have been killed by the petitioner since he had seen the petitioner and his sister-in-law Pushpa in an objectionable condition prior to his having gone missing. Offence under Section 302 of IPC was added. The petitioner was joined in investigation. He was formally arrested on 18.12.2022 and interrogated. He suffered disclosure statement to the effect that about four years back, he had developed extra marital relationship with Pushpa wife of the victim and the victim had seen them together in objectionable condition about eight months back and he had been extending threats to the petitioner to disclose about the same to his wife and had started blackmailing him by raising demand of money. He had also been assaulting his wife and feeling frustrated, the petitioner had hatched a conspiracy with the co-accused Pushpa to kill the victim. He disclosed that the victim was called by him at his house on the night of 11.12.2022, where he had been killed and his dead body was concealed in a pit which was already got erected by the petitioner in the *gher* of his house. He also disclosed that he had filled the pit and had plastered the same with cement. On the basis of his disclosure statement, the accused Pushpa was also arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of suspicion. Neither the complainant-Rajat nor other material witnesses namely PW-4 Champa Devi, PW-5 Purushotam and PW-6 Sanjay have supported the prosecution version. Nor there is any other eye-witness to the occurrence. The case is based on circumstantial evidence and there is no circumstance to connect him with the crime. A false recovery of clothing and body of the deceased has been



planted upon him. He is in custody since long. The accused Pushpa has been extended benefit of regular bail. On parity, he too deserves to be extended the same benefit. His further incarceration would not serve any useful purpose. His involvement in other cases cannot be considered to be a ground for denying benefit of bail to him. Therefore, it is urged that the petition deserves to be allowed.

4. *Per contra*, learned Sate counsel has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner by hatching a conspiracy with the co-accused who is none else than the wife of the victim, is alleged to have called him in his house on the night of 11.12.2022, made him consume liquor laced with some intoxicating substance and when he had lost senses, is alleged to have caused his death by striking blows with an axe. As per the allegations, he had also taken the dead body of the victim towards his *gher* and had buried the same in a pit got dug by him and then plastered the same. The allegations against the petitioner are quite serious in nature. The witnesses who have been declared hostile were not eye-witnesses to the occurrence. The dead body of the victim was exhumed on the basis of disclosure statement of the petitioner in the presence of Naib Tehsildar, Samalkha, Panipat. Even the burnt cell phone of the victim had been recovered at the instance of the petitioner. Other incriminating articles were got recovered from him. The



trial is going on at a proper pace and there is nothing on record to show that there would be any undue delay in conclusion of the same. The petitioner has criminal antecedents. The allegations against the petitioner are serious in nature as he along with the co-accused stands accused of a heinous crime punishable with capital punishment or life imprisonment. While length of incarceration is a factor that weighs with the Court in considering bail, it cannot overshadow the seriousness of the accusation of murder under Section 302 IPC. It is well-settled proposition of law that grant of bail is a discretionary relief to be granted or denied based on specific facts and circumstance of each case and there cannot be any exhaustive parameters set out for considering the application for grant of bail. The factors such as nature of accusations, severity of punishment if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. That apart, reasonable apprehension of tampering with evidence or threatening the complainant is also to be weighed. Frivolity of prosecution should always be considered, and it is only the element of genuineness that has to be considered in the matter of grant of bail.

7. In light of the foregoing legal principles, and having regard to the applicant's role in the incident, the recovery of the weapon of offence at his instance, his involvement in another case, and the reasonable apprehension of his absconding or tampering with evidence, this Court finds no compelling ground to grant bail to the petitioner. Accordingly, the petition is dismissed.

8. It is clarified that any observation made in this order is only for deciding this petition and shall not influence the outcome of the trial and



also not be taken as an expression of opinion on merits.

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

[MANISHA BATRA]
JUDGE

6th November, 2025
Parveen Sharma

- | | | |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |