



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-24803-2025
Decided on : 03.11.2025

KHEM KARAN.....Petitioner

Versus

STATE OF HARYANA.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Kusum Raj, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Khem Karan, aged about 42 years	281	02.06.2024	302, 342, 506 and 34 of IPC (Subsequently , sections 342, 506, 34 of IPC were deleted and section 201 of IPC was added)	Thanesar	Kurukshetra



2. Learned counsel for the petitioner contends that FIR in question was registered at the instance of complainant Khem Karan, who stated that he is a mason and about nine months earlier, one Rajesh Kumar had allotted him a room in the community centre, where he resided with his family. About nineteen years ago, Khem Karan was married to Savitri, aged 38 years, and three sons were born out of the said wedlock. Their eldest son, Ajay, is employed in a company at Banaras; the second son, Gaurav, is pursuing his studies; and the youngest, Sachin, aged 11 years, resides with the complainant. It is further alleged that a co-villager, Rambir, had been in contact with Savitri for about one and a half years and had taken her to Mohali with the intention of marrying her, where she stayed with him for approximately fourteen months. After her return, Rambir used to call and threaten the complainant on his mobile phone (No. 7015454259) from his own number (No. 9548754664).

As per the allegations, on 01.06.2024 at about 9:00 p.m., after having dinner, complainant was sleeping along with his wife and children in the community centre. Around 12:30 a.m., two boys approached the complainant's cot; one of them was identified as Rambir, who started beating him, while the other boy locked the room from outside where the children were sleeping. Complainant then saw Rambir and the other boy forcibly taking his wife to the community park. Shortly thereafter, he noticed his wife lying there in an unconscious condition. Complainant immediately called Rajesh Kumar and Rinku telephonically, and several villagers gathered at the spot. They observed that Savitri had been strangulated. Rajesh Kumar then informed the police by dialing



112, and the deceased was taken to the hospital, where she was declared dead.

3. It is further submitted that during the course of investigation, it was revealed that petitioner himself, who is also the informant in the FIR, was unhappy with his wife and had allegedly killed her. Learned counsel for the petitioner, however, argues that the material prosecution witnesses, namely Rajesh Kumar (PW2) and Ashok Kumar (PW3), have already been examined and both have turned hostile, which clearly indicates that petitioner did not play any active role in the commission of the alleged offence. Counsel further submits that as per the post-mortem report, all the injuries on the deceased were caused by blunt force, whereas the *danda* allegedly recovered from the petitioner could not have inflicted such fatal injuries.

4. It is also contended that petitioner is in custody for about 1 year and 04 months, and no substantial evidence has been led by the prosecution so far. Therefore, his continued detention serves no fruitful purpose. Learned counsel further points out that as per the status report dated 31.07.2025 (attested on 01.08.2025), there are total eighteen prosecution witnesses, out of which only 08 have been examined, till date. Hence, trial is unlikely to conclude in the near future, and petitioner deserves the concession of regular bail.

5. On the other hand, while opposing the submissions addressed by counsel for the petitioner, learned State counsel submits that except of the petitioner, no other person is responsible for causing death of his own wife. Looking at the conduct of the petitioner, who himself



attempted to mislead everyone by getting the FIR registered by concocting the version, does not deserve any concession of bail.

However, learned State counsel is unable to dispute the fact that two of the star prosecution witnesses in regard to the recording of the extrajudicial confession of the petitioner, have not supported the version of the prosecution.

5. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.

6. In view of the facts discussed here above, as having been argued by counsel for the respective parties, and also noticing the fact that petitioner is inside jail since 07.07.2024, i.e. for a period of about 1 year and 4 months, and 10 more prosecution witnesses are yet to be examined, without making any opinion, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



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independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

03.11.2025
Lavisha

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO