



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-24966-2025

Date of Decision:-28.07.2025

Lovely Kumar.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Ms. Aarti Sharma, Advocate for the Petitioner.

Mr. T.P. Singh, Senior DAG Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 483 BNSS, 2023 is for the grant of regular bail in case FIR No.366 dated 02.10.2022 under Sections 302 IPC registered at Police Station Barauda, District Sonipat (Sections 120-B, 201, 34 IPC added later on).

2. The present FIR came to be registered at the instance of Vinod Kumar son of Suraj Mal and reads as under:-

“ To, Chowki Incharge Bhainswan Khurd, Police Station Barauda, Sonipat. Respected Sir, it is requested that I Vinod Kumar s/o Surajmal is rsiding at Village Mahmudpur, Tehsil Gohana, District Sonipat. We are six brothers and one sister, in which two brothers had already died and my elder brother namely Baljeet have two girls and one son, who all are married. My brother Baljeet's son namely Umesh and his wife namely Jyoti along with their sons are living at Vishavkarma Chowk, Gohana on rented accommodation before two years and Pardeep s/o Zile Singh is the owner of that house. Umesh was doing job in DBM



Private School, Village Madina as teacher. On 01.10.2022, the said Umesh was going his school on his Scooty bearing No. HR-11K-5090 colour white Marka Activa at about 8:00 Am but the said Umesh was not come back in the evening and the wife of said Umesh made telephone call to Umesh, upon this Umesh said that I came back at house after some time. Btu after much delay, the wife of Umesh again made call to the Mobile Number of Umesh i.e. 7988196826 but unknown person attended the phone call and told that this person is lying under Railway Bridge, after getting said information, all family members of Umesh searched Umesh and tried to make call to the number of Umesh but Mobile Phone of Umesh is switched. When we reached at Village Thaska under Railway Bridge then we saw the dead body of Umesh was lying beside the road and checked the same, we searched the Scooty and mobile phone of Umesh at there but did not found there. We suspicion that my nephew Umesh was murdered by some unknown person. Action may kindly be taken against the unknown persons. We are waiting for our relatives, who had come know. Now, I have submitted my written complaint. Action be taken. Sd/- Vinod Kumar, applicant."

3. During investigation, on the basis of suspicion one Gurbhej Singh a friend of the deceased was apprehended. His mobile phone was checked and it was found that he was in contact with Jyoti wife of the deceased (since granted the concession of bail vide order dated 24.04.2024 passed in CRM-M-1003-2024) with whom he was having an illicit relationship as well as with his other co-accused namely Lovely (petitioner) and Rinku Ram.

Gurbhej Singh suffered his disclosure statement detailing the manner in which the offence had been committed with the aid of Lovely and Rinku Ram. He also got recovered his mobile phone. Lovely was apprehended and got recovered the purse, voter card, Aadhar Card and DL of the deceased.



4. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The offence if any had been committed by Gurbhej Singh. The recoveries of various articles have been planted upon the petitioner and his co-accused. As the petitioner is in custody since 06.10.2022, he is entitled to the concession of bail as only 10 of the 27 Pws have been examined so far and co-accused Jyoti had been granted bail.

4. The Counsel for the State on the other hand has filed a reply by way of affidavit dated 26.07.2025 of Ms. Nidhi Nain, HPS, Assistant Commissioner of Police, Gohana, District Sonapat in court today, which is taken on record. While referring to the said reply he contends that the Jyoti was in an illicit relationship with Gurbhej Singh. In order to do away with Umesh, husband of the Jyoti, Gurbhej Singh along with his co-accused including the petitioner committed the offence in question. Therefore, the petitioner was not entitled to the concession of bail. He however concedes that the petitioner was a first time offender, in custody since 06.10.2022 and that only 10 of the 27 Pws have been examined so far.

5. I have heard the learned counsel for the parties.

6. The name of the petitioner has figured in the disclosure statement of his co-accused. Pursuant to his arrest a purse, Voter Card, driving licence and Aadhar Card of the deceased have been shown to be recovered from the petitioner. It would be a moot point during the course of the trial as to whether the recoveries of these articles were effected from him or have been planted upon him. The petitioner is stated to be in custody since 06.10.2022 but only 10 of the 27 Pws have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. The co-accused Jyoti wife of the deceased has been granted the



concession of bail by this court vide order dated 24.04.2024. In this situation the further incarceration of the petitioner is not required.

9. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Lovely Kumar** son of Sh. Raj Kumar is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

10. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.

11. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

12. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

July 28, 2025
Vinay

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