



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

207

CRM-M-29166-2025

Date of decision: 29.05.2025

Krishan @ Murli

...Petitioner

Versus

The State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present : Mr. Sanpreet Sandhu, Advocate, for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

H.S. GREWAL, J. (Oral)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in FIR No.19 dated 10.01.2021, under Sections 302, 34 of IPC 1860 and (Charge Sheeted under Sections 120-B, 302, 201/34 of IPC and under Section 25 of the Arms Act), registered at Police Station Assandh, District Karnal.

2. Learned counsel for the petitioner submits that the case of the prosecution is that initially there was a blind murder case whereby one Pawan Kumar's car was parked at a place wherein his dead body was found inside the car. Thereafter, on secret information, police apprehended one accused Sahil on 05.02.2021 who suffered a disclosure statement stating that his friend and present petitioner Krishan @ Murli had solemnized love marriage with Pooja.

It is further alleged that on a function, deceased Pawan and petitioner-Krishan @ Murli had come along with their wives and during the course of their interaction deceased Pawan and Pooja (petitioner's wife) became on visiting terms with each other and eventually developed an affair.



Petitioner came to know about their affair and he conspired with co-accused persons to kill Pawan. In furtherance of conspiracy, deceased Pawan was called and he came in his i10 Grand Car. Deceased Pawan was driving the car, while petitioner was sitting along with him. Co-accused Sahil revealed these facts that the petitioner called deceased Pawan by making a call. Pawan came in his i10 grand car. All the four i.e. deceased Pawan, accused Sahil, petitioner and Ankush had gone at a dhaba and took beer. Deceased Pawan was driving the car whereas the petitioner was sitting along with him. Co-accused Ankush and Sahil were sitting on the back seat of the vehicle and Ankush had brought knife. A heated discussion had taken place between deceased Pawan and the petitioner relating to relationship of Pawan with Pooja. Deceased Pawan smelt plan of the accused. Deceased stopped the car and came down and made an attempt to run away but he was caught hold by co-accused Sahil. The petitioner had taken knife from co-accused Ankush. The petitioner had made repeated knife blows on the neck and chest of victim Pawan, who became unconscious. Then co-accused Ankush had taken knife from the petitioner and had given blows on the neck and chest of the deceased -Pawan then they had broken the glass of the car and left the victim behind. All the three accused persons had burnt their blood stained clothes and also the knife used in the crime. It is stated that the knife was recovered from the petitioner on 21.03.2021. It is further stated by counsel for the petitioner that case is based on circumstantial evidence and disclosure statement made before the police is inadmissible and has no evidentiary value. Furthermore, it is contended that PW-6 Jitender had deposed that he had received a call from his cousin who told him that the present petitioner along with others after consuming liquor at bus stand had killed Pawan. This evidence being hearsay



in nature cannot be relied upon. Moreover, the case hinges solely on the alleged recovery of his knife, disclosure statement made before the police and the hearsay evidence cannot be considered even during trial. Be that as it may, the petitioner has already undergone a period of 4 Years, 02 months and 11 days of custody and out of 27 witnesses, only 12 have been examined as yet. The trial is not likely to conclude in near future, therefore, the petitioner be released on regular bail.

3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in Court which is taken on record. As per the custody certificate, the petitioner is in custody for the last 04 years, 02 months and 11 days.

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

5. In view of the above submission of learned counsel, and the fact that petitioner is in custody for the last 4 years, 02 months and 11 days ; the case is based on circumstantial evidence and since the trial is likely to take a long time, the continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.



7. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

(H.S. GREWAL)
JUDGE

29.05.2025

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