



CRM-M-32903-2025

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

212

CRM-M-32903-2025

Date of decision: 18.11.2025

RAJESH

.....PETITIONER

Versus

STATE OF HARYANA

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Parveen Kaushik, Advocate
for the petitioner.

Ms. Deepali Verma, Asstt. A.G. Haryana.

Mr. Amit Khari, Advocate
for the complainant.

SURYA PARTAP SINGH, J.

1. For the commission of offence punishable under Sections 302, 201 and 34 of IPC, the FIR No.201 dated 24.06.2024, has been lodged in Police Station Hathin, District Palwal. With regard to commission of above mentioned offence, the petitioner has been arrested. He is in custody, and therefore, craving for the concession of bail. This is first petition for bail, filed by the petitioner, under Section 483 of BNSS.

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being at the instance of Gopiram, hereinafter being referred as complainant. It was stated by the above-named complainant that his elder daughter namely Shiwangi was married to Rajesh son of Shivram, resident of village Taraka, and that she was staying with the complainant for the last 20



days (approximately). According to complainant on previous day, i.e. on 23.06.2024 Shiwangi left home at about 8-9 A.M. by stating that she was going to Vrindavan. It was further stated by the complainant that Ms. Shivangi was missing since then, and that her mobile phone was not reachable. According to complainant of that day, i.e. on 24.06.2024, he came to know that the dead body of his daughter was lying in the bushes at Madnaka turn. According to complainant, he rushed to the spot identified the dead body of his daughter and found that there were injury marks on the head of his daughter. While alleging that some unknown persons had killed his daughter, it had been requested by the complainant that the action be taken.

3. It is the case of the prosecution that in view of above-mentioned statement formal FIR of this case was lodged and the investigation taken up. According to prosecution during the course of investigation the accused was arrested and on interrogation he suffered a disclosure statement, wherein he admitted that he had killed his wife.

4. Heard.

5. It has been contended on behalf of petitioner that the petitioner is innocent, having no nexus, whatsoever, with the commission of crime and that he has been falsely implicated in the present case. According to learned counsel for the petitioner except the confessional statement of the accused which was recorded by the police when the petitioner was in custody, there is no other legally admissible evidence against the petitioner.

6. The learned counsel for the petitioner has further argued that in the present case, the petitioner has already suffered prolonged incarceration for being in custody for a period of more than 01 year and 04 months and that the



trial is taking place at a slow pace as out of 30 witnesses cited in the list of witnesses only 15 witnesses have been examined so far. According to learned counsel for the petitioner the name of petitioner does not figure in the FIR, and that the CCTV footage being relied upon by the prosecution is neither admissible in evidence nor the same is clear enough to prove that the deceased was last seen in the company of petitioner.

7. *Per contra*, the learned State counsel, being assisted by learned counsel for the complainant, has argued that although the name of petitioner does not figure in the FIR, but during the course of investigation it has been revealed that the deceased was last seen with the petitioner in the car and that ample evidence has been collected in this case which can prove that the offence has been committed by the petitioner. According to learned State counsel the trial is taking place at a reasonably fast pace as 50% of the witnesses, listed in the list, have already been examined, and only few official witnesses have been left un-examined. While alleging that CCTV footage proves the involvement of petitioner in the commission of crime beyond doubt, the learned State counsel has argued that no ground for bail of the petitioner is made out.

8. The record has been perused carefully.

9. As far as the instant case is concerned, a careful perusal of the record shows that instant case is a case, wherein there is no eye witness account. The entire case of the prosecution is based upon circumstantial evidence and with regard to involvement of petitioner in the commission of crime, the prosecution case is resting upon the plea that the petitioner has suffered a disclosure statement, wherein he has confessed his involvement in



the commission of crime. It is also relevant to mention here that the disclosure statement suffered by the petitioner cannot be solely brushed aside, in view of the fact that the details given by the petitioner in his disclosure statement are supported with CCTV footage. At this stage when the admissibility and credibility of CCTV footage is yet to be examined, the contents of above-mentioned CCTV footage wherein the deceased is seen in the company of petitioner cannot be completely ignored.

10. In addition to above it is also relevant to note that one of the strange part on the part of the petitioner is that he is in complete denial mode and is not explaining anything about the above-mentioned last seen evidence.

11. Be that as it may, merits apart the facts of the case shows that the trial in the present case is progressing at a reasonably fast pace as 15 out of 30 prosecution witnesses have already been examined and the remaining 15 witnesses are official witnesses. The recording of testimony of above-mentioned witnesses is not likely to consume much time. Therefore, in the present case this conclusion cannot be drawn that there is undue delay in trial or that the petitioner is being forced to prolonged incarceration without any reason.

12. Thus, taking into consideration the cumulative effect of all the above-mentioned factors, it is hereby held that at this stage the request of petitioner for bail is devoid of merits and deserves dismissal. The same is hereby dismissed, accordingly.

(SURYA PARTAP SINGH)
JUDGE

18.11.2025

vipin

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