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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-38894-2024(O&M)

Date of decision:-03.04.2025

RINKU

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Balraj Gujjar, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J.(ORAL)

CRM-11760-2025

1. The instant application under Section 528 of BNSS, is for placing on record copies of Evidences of PW6 Pawan Kumar as Annexure A-1, PW8 Raja Ram as Annexure A-2, PW9 Sandeep as Annexure A-3.

2. Application is allowed as prayed for, subject to all just exceptions.

3. Copies of Evidences of PW6 Pawan Kumar as Annexure A-1, PW8 Raja Ram as Annexure A-2, PW9 Sandeep as Annexure A-3 are taken on record, Registry to tag the same at appropriate place.

Main Case

1. The instant petition has been preferred by the petitioner under



Section 483 of Bharatiya Nagarik Suraksha Sanhita, BNSS, 2023, for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
465	09.07.2023	302 IPC	Chandni Bagh, Panipat, District Panipat.

2. Arguments heard.
3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case and is in custody since 10.07.2023. He contends that during course of trial the prosecution has examined material witnesses including the complainant, and eye witness who have not lent any support to the case of the prosecution and have categorically stated that the deceased had died on account of fallen from the roof and there is no role of petitioner therein. He contends that after completion of investigation, challan has already been presented in Court and the conclusion of trial will take sufficient long time, hence prayed for grant of concession of regular bail to the petitioner.
4. *Per contra*, learned State counsel referring to the reply submitted by the State has opposed the bail petition and prayed for dismissal of the bail petition. However, on query he has not disputed the fact that all material witnesses have already been examined during trial by the prosecution and they have been declared hostile as they have not supported the case of the prosecution.
5. After considering the rival contentions and perusing the record, it is observed that the allegations against the petitioner is of having killed his daughter by giving brutal beatings as has been reported by the



complainant Ashok. Consequent upon his arrest on 10.07.2023, the petitioner was put to trial wherein 20 witnesses have been cited by the prosecution out of which 10 witnesses have been examined including the material witnesses viz Ashok-complainant as PW4, Kishori Bai as PW5 grand mother of deceased, Pavan Kumar as PW6 eye witness, Raja Ram as PW8, Sandeep as PW9 and none of them have lent any support to the case of the prosecution in any manner so as to connect the petitioner with the commission of the alleged occurrence. The learned State counsel has also admitted that on instruction from the Prem Kumar, Investigating Officer of the case that all material witnesses examined by the prosecution have not supported the case of the prosecution against the petitioner. The petitioner is not having any criminal antecedents. After completion of investigation, challan has already been presented in Court, wherein prosecution has cited 20 witnesses and till date 10 witnesses have been examined. In this manner, the conclusion of trial to ascertain criminal liability, if any, of the petitioner will take sufficient long time and no purpose would be served by detaining the petitioner any longer in custody.

6. In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.



- 7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.
- 8. Pending application(s) if any shall also stand disposed of.

(SANJIV BERRY)
JUDGE

03.04.2025

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |