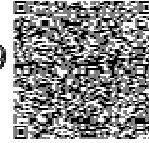


2025:PHHC:105559



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

CRM-M-36710-2025 (O&M)

Reserved on : 12.08.2025

Pronounced on : 19.08.2025

Abhishek Dutt @ Honey

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Nikhil Ghai and Ms. Malini Singla, Advocates
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J.

1. The instant one is the third petition that has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No. 37 dated 10.02.2024, registered under Section 302 of IPC at Police Station Kalka, District Panchkula.

2. Brief facts of the case relevant for the disposal of the present petition are that the aforementioned FIR was registered on the basis of a written complaint submitted by complainant Durga Dass alleging therein that his daughter Bhavna Sharma was married with the present petitioner in the year 2008. Their relations were strained and fights used to take place. On the evening of 09.02.2024, he received a telephonic message from his granddaughter informing that the petitioner had stabbed Bhavna Sharma in her chest and she was taken to hospital for treatment. The complainant

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immediately rushed to the hospital and found that the victim had succumbed to the injuries sustained by her. By alleging that the petitioner was responsible for the death of the victim, he prayed for taking action in the matter. After registration of the FIR, investigation proceedings were initiated. Post-mortem examination of the dead body of the victim and inquest proceedings were conducted. The petitioner was arrested on 10.02.2024. The statement of the daughter of the victim was recorded under Section 164 of Cr.P.C. Investigation now stands completed and the petitioner is facing trial for commission of offence of murder of his wife.

3. It is argued by learned senior counsel for the petitioner that he has been falsely implicated in this case. PW Avni, who was an alleged eye witness and is daughter of the victim and the petitioner, has not implicated the petitioner in the subject crime. The complainant was not an eye witness to the occurrence. The trial is likely to take considerable time as PW Jagdish Rani, mother of the victim, has moved to Canada and has not been appearing before the trial Court to record his deposition. The complainant has expired. The petitioner is suffering from several ailments and has been advised transplantation of his liver. His further incarceration would not serve any useful purpose. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report along with the custody certificate of the petitioner has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. It is, thus, argued that the petition is liable to be dismissed.

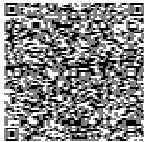
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5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner is alleged to have firstly assaulted his wife on the night of 09.02.2024 and is then alleged to have stabbed her with a knife resulting into her homicidal death. The complainant, who was father of the victim, has since died. PW Avni, who is daughter of the petitioner as well as the victim and was an eye-witness, has since been examined and has not supported the prosecution version that it was the petitioner who had killed the victim, though in her statement recorded under Section 164 of Cr.P.C., she had stated that her father had assaulted her mother on the fateful night and had also stabbed her. The occurrence took place within the four corners of the house of the petitioner during night time. Though from the cross-examination of the daughter of the victim and PW-2 Rajiv Gupta, a neighbour of the victim, it is revealed that the petitioner has tried to make out a case that the victim had been assaulted by some third person, however, this was not the version of the material prosecution witnesses. The allegations against the petitioner are serious in nature. Eye-witness Avni might not have supported the prosecution case, however, only because of that reason, it cannot be stated that the petitioner is innocent. The knife used in the occurrence was recovered at the instance of the petitioner. The trial is going on at proper pace and there is nothing on record to show that there would be any undue delay in conclusion of the same. So far as the medical condition of the petitioner is concerned, as per the discharge summary dated 24.06.2025 itself, the petitioner is reported to have improved and his medication condition was stable. Keeping in view the gravity of the allegations levelled against the petitioner, the quantum of

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sentence which the conviction may entail and the attendant facts and circumstances of the case, I am of the considered opinion that the petitioner is not entitled to get benefit of bail, at this stage. Accordingly, the petition is dismissed.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

19.08.2025

Wassem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No