

2025:PHHC:088159



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.45259 of 2024  
Date of Decision: 18.07.2025  
Reserved on: 15.07.2025

Pawan ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Robin Singh Hooda, Advocate,  
for the petitioner.

Mrs. Sheenu Sura, DAG, Haryana,  
for the respondent-State.

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MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

| FIR No. | Dated      | Police Station          | Sections                                                     |
|---------|------------|-------------------------|--------------------------------------------------------------|
| 536     | 18.11.2020 | Sampla, District Rohtak | 346 of IPC (365, 302, 404, 201 and 34 of IPC added later on) |

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of complaint submitted by the complainant Mukesh alleging that his nephew Maninder had left the house on 16.11.2020 by informing that he was

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going to meet his friend Hemant and did not return home. They had made search for him but could not find him. Initially, a case under Section 346 of IPC was registered. On the same day, the complainant again submitted a complaint alleging that his brother Rakesh had informed that he had seen the petitioner, Saurabh Lohar and Hemant while going along with Maninder on his motorcycle on 16.11.2020 and he also informed that he had found the dead body of his nephew lying in the fields of one Hardeva. Offences under Sections 302, 365 and 404 read with Section 34 of IPC were added. Investigation proceedings were initiated. The postmortem examination of the dead body was conducted as per which the death was result of injuries sustained by some blunt force impact which were antemortem in nature. The petitioner and co-accused Hemant were arrested on 22.11.2020. They suffered disclosure statements admitting their involvement in the crime and demarcated the place of occurrence. The petitioner got recovered the motorcycle of the victim. Offence under Section 201 of IPC was added. The co-accused Saurabh was also arrested subsequently. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case and he is in custody since 22.11.2020. There is no eye-witness to the occurrence. The case is based on circumstantial evidence. However, no circumstance connecting the petitioner with the subject crime has been established by the prosecution. His further detention would not serve any useful purpose. It is, therefore, argued that he

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deserves to be released on bail.

4. Status report has been filed. It is argued by learned Deputy Advocate General, Haryana that there are grave allegations against the petitioner. He was lastly seen with the deceased. He is a habitual offender as as one criminal case is pending against him whereas two more cases had been registered against him in which he had been acquitted. There are chances of his absconding or intimidating the witnesses if extended benefit of bail. Most of the prosecution witnesses stand examined and there is nothing on record to suggest that there would be any undue delay in concluion of the trial. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner in connivance with the co-accused is alleged to have taken the victim Maninder on motorcycle on Dattaur road Gijji road on the fateful night and along with the co-accused Saurabh, is further alleged to have strangled the victim with a belt. The victim was also injured with bricks and stones and thereafter was left at the spot. His motorcycle was taken away by them. The petitioner demarcated the place of occurrence and also got recovered the bike of the victim. The allegations against him are quite grave in nature. Rakesh who had lastly seen the victim along with the petitioner is stated to have been examined and as submitted by learned Deputy Advocate General, Haryana, he has supported the prosecution case. Most of the prosecution witnesses already stand examined. There is nothing on record to suggest that there would be any unusal delay in conclusion of

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trial. The petitioner does not have clean antecedents. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

18.07.2025  
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(MANISHA BATRA)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |