

**CRM-M-42383-2025**

1

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****3****CRM-M-42383-2025****Reserved on : 28.08.2025****Pronounced on : 29.08.2025**

Krishma @Karishma

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Jainainder Saini, Advocate for the petitioner.

Mr. Ved Prakash, Sr. DAG, Haryana.

Mr. Anurag Jain, Advocate for the complainant.

SURYA PARTAP SINGH, J.

1. For the commission of offence punishable under Sections 103(1), 3(5), 61(2) of the Bharatiya Nyaya Sanhita, 2023, FIR bearing No.454 dated 23.09.2024 has been lodged in Police Station City Hisar. The petitioner has been arrested in the abovementioned case on 26.09.2024. The application for bail filed by the petitioner before the Court of learned Additional Sessions Judge, Hisar has been dismissed vide order dated 19.03.2025. The petitioner is in custody since then and therefore, seeking the concession of bail during the course of trial.

2. The abovementioned FIR has been lodged in Police Station City Hisar. Succinctly the allegations contained in the FIR are that the

**CRM-M-42383-2025**

2

petitioner was member of a group, and hatched a conspiracy to kill Vijay Ahuja and executed the abovementioned plan.

3. The allegations of the prosecution, as contained in the FIR, are that the abovementioned FIR came into being on 30.09.2024 on the complaint of Prerna D/o deceased. The abovenamed complainant had stated that the marriage of her brother Amardeep was solemnized with the petitioner Krishma and that after marriage, the mother and step-father of Karishma used to harass complainant's father Vijay Ahuja and that Krishma even sold the gold jewellery gifted to her by her father-in-law Vijay Ahuja. According to the complainant on 23.09.2024, her father had gone on a two-wheeler to pay obeisance in a temple and later on, she came to know that he was attacked by somebody and admitted in hospital. While raising a finger of accusation towards the petitioner, the complainant had requested for taking action against the petitioner and her parents.

3. Heard.

4. It has been argued by learned counsel for the petitioner that present case is a blind murder case, wherein there is no direct evidence to establish link between the commission of offence and the petitioner. As per learned counsel for the petitioner, in the instant case, except the disclosure statement of co-accused, there is no other evidence to prove that the petitioner had got any kind of nexus whatsoever with the abovementioned crime.

**CRM-M-42383-2025**

3

5. In addition to above, it has also been argued by learned counsel for the petitioner that petitioner is a female having about one-and-a-half year old child and that she has already suffered incarceration for being in custody for a period of almost one year. According to learned counsel for the petitioner, nothing is left to be recovered from the possession of petitioner and the trial is not likely to be concluded in near future and therefore, the petitioner is entitled for the benefit of bail.

6. *Per contra*, learned State Counsel has argued that there is direct link between the commission of offence and the petitioner, as the petitioner was in touch of the assailants at the time of incident. It has also been argued by learned State Counsel that in addition to disclosure statement suffered by the co-accused, the circumstances, wherein the petitioner sold her gold ornaments without telling her father-in-law (the deceased) and usurped the money for the execution of plot to kill him, in itself, are great indicator to prove the involvement of the petitioner in the commission of offence.

7. Learned State Counsel being assisted by learned counsel for the complainant has also argued that the sole motive behind the commission of crime was to grab the property of deceased, as the deceased is survived by a divorcee daughter, who is suffering from depression, and a son having very low IQ. As per learned State Counsel if the benefit of bail is afforded to the petitioner, she will put illegal pressure upon the son and daughter of deceased and therefore, she is not entitled for the benefit of bail.

8. The record has been perused carefully.

**CRM-M-42383-2025**

4

9. A perusal of record shows that in the present case, there are certain legal aspects which needs to be taken into consideration, before arriving at any decision with regard to present bail application:-

- a. that the petitioner is a female having a young child;
- b. that she is already in custody for a period of more than 11 months;
- c. that investigation in this case is already complete and therefore, there is nothing left to be recovered from the possession of the petitioner;
- d. that the trial is not likely to be concluded in near future;
- e. that there is no eye-witness account to support prosecution case with regard to involvement of the petitioner in the commission of crime;
- f. that the case is based on circumstantial evidence, wherein allegations against the petitioner are to be a participant in criminal conspiracy, but except the disclosure statement of co-accused, there is no other evidence against her;
- g. that the evidence being relied upon by the prosecution, raising an accusation finger towards the petitioner, i.e. disclosure statement of co-accused, is inadmissible evidence;
- h. that the petitioner has no criminal antecedents; and
- i. that detention of the petitioner behind the bar is not likely to serve any purpose;

10. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to the conclusion that the petitioner is entitled for the benefit of bail.

11. Accordingly, without commenting anything on the merits of the case, the present petition is hereby allowed. The petitioner is hereby



CRM-M-42383-2025

admitted to bail subject to her furnishing bail bonds to the satisfaction of learned trial Court. In case, the concerned Court is not available on the given date, the learned Sessions Judge would be at liberty to assign the abovesaid case, for the abovesaid purpose, to any other Court.

**(SURYA PARTAP SINGH)
JUDGE**

AUGUST 29, 2025
Gaurav Thakur

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No