



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

CRM-M-43758-2025

Date of decision: 19.08.2025

SUNEHARI

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Mahesh Inderpreet, Advocate and
 Mr. Naresh Kaushik, Advocate for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

YASHVIR SINGH RATHOR, J. (Oral)

1. Petitioner is praying for regular bail in case FIR No.164, dated 27.05.2023, registered at Police Station Kasola, District Rewari, under Sections 302, 201, 34 of IPC.

2. The present case was registered on the basis of statement given to the police by Sunehari s/o Kali Charan, who is subsequently arrayed as an accused wherein he disclosed that he is working with S.K. Fabrication Company, Bawal. Anoop Singh and his son Shivpal also used to work in this company. They used to live on rent in the house of Hoshiyar Singh. On 23.05.2023, he was present at his house when they both came there and told him that Hoshiyar Singh has got vacated the room from them and requested him to allow them to stay in his house during the night, to which he agreed. He knew that both Anoop Singh and



his son Shivpal consume alcohol. During the night, the petitioner prepared dinner and he along with Shivpal took dinner but Anoop singh did not take dinner and went to sleep. Shivpal disclosed to him that his father Anoop Singh fights with him and beats him regularly after consuming alcohol and he has got fed up with his behaviour. Petitioner counseled Shivpal and then went to sleep. At about 04:30 AM, petitioner tried to wake up Anoop Singh but he did not respond, on which he told Shivpal that his father is not getting awake, on which Shivpal disclosed to him that he has killed his father by electrocuting him during the night. Petitioner got frightened and he along with Shivpal took away the dead body of Anoop Singh and threw it near EGLO Company. However, he felt remorseful and came to the police along with Shivpal told that he has not done a good act. After registration of FIR, matter was investigated. Both Shivpal and petitioner-Sunehari was arrested. After completion of investigation, challan has been presented against the accused for trial.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. No offence under Section 302 of IPC has been committed by him and even police has not challaned him for the said offence. Challan has been presented against him only for the offence under Section 201 of IPC read with Section 34 of IPC i.e. for disposing of the dead body, which is bailable in nature. Learned trial Court while framing charge vide order dated 21.08.2023 has charged accused Shivpal only under Section 302 IPC and he along with Shivpal has been charged for the offence under Section 201/34 of IPC. Learned counsel for the petitioner contends that since



the offence under Section 201 of IPC for which the petitioner has been charged is bailable in nature, the petitioner is entitled to be released on bail.

4. On the other hand, learned State counsel has opposed the bail application and submits that petitioner has committed a heinous crime and he does not deserve concession of bail.

5. I have heard the submissions made by counsel for the parties.

6. Admittedly, the petitioner has been charged only for the offence under Section 201/34 of IPC for helping co-accused Shivpal in disposing of the dead body to screen Shivpal from punishment. The offence in question is bailable and learned trial Court has committed grave error while dismissing the bail application moved by the petitioner. Petitioner is in custody since 28.05.2023 and no useful purpose will thus be served by keeping the petitioner in custody anymore.

7. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

19.08.2025

Priyanka Thakur

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No