

2025:PHHC:012905



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

313

CRM-M No.49236 of 2024
Date of Decision: 28.01.2025

Karan @ Kalu ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vishal Jassal, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

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
621	12.12.2023	Ambala Cantt, District Ambala	201 and 302 of IPC

2. Adumbrated facts as emanating from the record are that the aforementioned FIR was registered on the basis of complaint lodged by complainant Rakesh Kumar on the allegations that the petitioner who is his son was a drug addict. On the evening of 11.12.2023 his married daughter Muskan as well as the petitioner were at home. On hearing

2025:PHHC:012905



some noises, the complainant rushed to the room wherein his daughter and son were present and found the petitioner while striking blows with a sword on the person of his daughter and thereby he killed her. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 12.12.2023 and 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. The complainant and other material witnesses have since been examined and have not supported the prosecution version and have not deposed anything as against the petitioner. No incriminating evidence has been extracted by the prosecution from their statements. It is submitted that in view of the nature of the evidence which has come on record and the fact that the petitioner is in custody since long as well as due to the reason that the trial is still likely to take long time, he deserves to be extended benefit of bail.

4. Status report has already been filed by the respondent-State. It is argued by learned Assistant Advocate General, Haryana that there are serious allegations against the petitioner. He is a man of criminal antecedents since cases under the provisions of NDPS Act, IPC as well as Gambling Act have been registered against him. There are chances of his absconding if extended benefit of bail. The witnesses who have not supported the prosecution version are closely related to the petitioner and the possibility of their being won over by the petitioner cannot be ruled out.

There are several other circumstances pointing towards the guilt of the

2025:PHHC:012905



accused, evidence qua which is yet to be led. Therefore, it is urged that he does not deserve to be extended benefit of bail.

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

6. The petitioner has placed on record copies of statements of the complainant, his wife, his son Manish Kumar and one eye-witness Rohit as recorded before the learned trial Court and on a perusal of the same, it is revealed that neither of them implicated the petitioner in the commission of offence of murder of the victim who was none other than his real sister. The complainant Rakesh Kumar and his wife PW-3 Ganga are shown to have stated that they did not know as to who had killed their daughter and that the petitioner did not do so as he was present in Sadar Bazar Market, Ambala Cantt with them at the time of the incident. PW-4 Manish Kumar, brother of the victim is also shown to have made a similar statement. It has come on record that the petitioner was a drug addict. He is the sole accused. The victim has sustained as many as 42 injuries. Her homicidal death had occurred in her parental house. The witnesses examined by the prosecution are closely related to the petitioner also and that appears to be a reason for their not supporting the prosecution version. There is nothing on record to show that the trial is likely to take time. The mere fact that some material witnesses have not supported the prosecution case cannot be considered to be a sufficient reason to extend benefit of bail to the petitioner at this stage.

Keeping in view the gravity of the allegations as levelled against him, the

2025:PHHC:012905



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, I am of the considered opinion that the petition does not deserve to be allowed at this stage. Accordingly, the same is dismissed.

28.01.2025
manju

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No