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

CRM-M-49381-2024 (O&M)
Date of Decision : 08.01.2025

Pradeep Kumar

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. K.S. Rana, Advocate for the petitioner.

Mr. Suneel Ranga, DAG Haryana.

Mr. Ram Bilas Gupta, Advocate for the complainant.

ALKA SARIN, J. (Oral)

1. This is the fourth petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in FIR No.250 dated 30.08.2019 under Sections 363, 366A, 148, 149, 302, 307, 506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 (Sections 302 and 201 IPC added later on) registered at Police Station Khedi Pul, District Faridabad. The first petition for grant of regular bail being CRM-M-10539-2021 was dismissed by a Coordinate Bench of this Court vide order dated 05.04.2021 and thereafter the second petition being CRM-M-10182-2022 was also dismissed vide order dated 19.05.2022 by a Co-ordinate Bench. The third petition for grant of interim bail being CRM-M-57876-2023 was disposed off by this Court vide order dated 22.11.2023.

2. The complainant in the present case got the FIR registered alleging therein that his daughter had gone to purchase some goods from a

nearby grocery shop and thereafter she did not return back home. Initially the FIR was registered against unknown persons who were alleged to have taken away the daughter of the complainant, namely, Nikita, with some ulterior motive of marrying her. The petitioner herein was nominated on the basis of an extra-judicial confession before Kuldeep Singh (PW3). During the course of investigation, the petitioner herein and one Waseem were arrested on 10.09.2019 and the dead body of Nikita was recovered on the basis of the disclosure statement made by the petitioner.

3. Learned counsel for the petitioner would contend that the petitioner has been in custody since 10.09.2019 and that there is no direct evidence against the petitioner nor any recovery was effected from him. It is further the contention of the learned counsel that all prosecution witnesses stand examined.

4. *Per contra* the learned counsel for the State has contended that Nikita was murdered by the petitioner and her dead body was placed in a pit near the bank of Yamuna in order to destroy the evidence. The dead body of Nikita was recovered from the bank of Yamuna on the basis of disclosure statement made by the petitioner. On the basis of the disclosure statement, it transpired that Nikita was murdered by the petitioner, who is the main accused in the present case, and after murdering Nikita, her dead body was buried in a pit near the bank of Yamuna. It is further the contention of the learned counsel that the entire prosecution evidence has since been led.

5. Learned counsel for the complainant has also pointed out that the prosecution has concluded their evidence and now the matter is fixed for 10.01.2025 for defense evidence, if any, and arguments.

6. I have heard the learned counsel for the parties.

7. In the present case the petitioner is the main accused and the dead body of Nikita was recovered on the basis of his disclosure statement and the demarcation got done by him. The entire prosecution evidence stands concluded and the matter is fixed for defense evidence, if any, and arguments for 10.01.2025. In view thereof, I do not find this to be a fit case for grant of regular bail to the petitioner. Hence, the present petition is dismissed. Pending applications, if any, also stand disposed off.

8. It is made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

08.01.2025
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO