



219

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

CRM-M-50055-2025

Date of decision : 12.09.2025

Pawan @ Pankaj**....Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Sumeet Singh Brar, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana and
Ms. Diya Sodhi, Sr. D.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.426 dated 30.05.2022, under Sections 302 of IPC, registered at Police Station City Sirsa, Haryana.
2. As per the facts of the case, the FIR was lodged on the statement of complainant, namely, Baljeet Singh. It was alleged that his wife Poonam Kaur (deceased) left home on 29.05.2022 at about 7:00 pm by saying that she was going to her sister's house, however, she did not return. He called on her mobile phone, she was picking up the call but no voice was coming. Thereafter, at about 3:00 am, he received a call from Pawan @ Pankaj (petitioner) who told him that his wife Poonam Kaur was with him. He started searching his wife and Pawan @ Pankaj but could not trace them. Thereafter, at about 9:30 am, Pawan @ Pankaj called him on his mobile and told him that Poonam Kaur has been murdered and her dead body is lying in a vacant house. He along with his



family members reached there, where he found the dead body of his wife. It was alleged that his wife Poonam Kaur was murdered by Pawan @ Pankaj. The request was made to take the legal action against the accused. On registration of FIR, investigation commenced. The postmortem of the dead body was conducted. The complicity of the petitioner surfaced and thus, he was arrested on 31.05.2022. He approached the Learned Additional Sessions Judge, Fast Track Special Court, Sirsa, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned trial Court vide order dated 21.07.2025. Aggrieved by the same, the petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner has contended that evidently the case of the prosecution is totally based on circumstantial evidences as there is no direct evidence produced by them. He submits that the petitioner has been falsely roped in the present case on the basis of assumptions and presumptions. He submits that the petitioner had no role whatsoever but he has been implicated in the present case on the basis of fake recoveries which has been planted upon the petitioner. He submits that the petitioner is behind bars since the date of his arrest and he has never been involved in any other criminal case. It is submitted that the petitioner has suffered an incarceration of more than 03 years, however, till date the prosecution has not been able to conclude the trial. He submits that from the perusal of cross-examination of the father of the deceased, the innocence of the petitioner is duly proved. He thus, submits that in the facts and circumstances of the present case, the petitioner deserves to be granted bail.



4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner and submits that the deceased left home on 29.05.2022 and thereafter, it was the petitioner who had called the husband of the deceased. It is submitted that it is on the phone call given by the petitioner thereafter, the husband of the deceased along with his family members reached at the place and found the dead body of his wife. He submits that during investigation the recovery of mobile phone, a lady purse, a pair of silver anklets, blood razor and earring of the deceased, were effected from the possession of the petitioner. He submits that the circumstantial evidences are duly proved against the petitioner and thus, he does not deserves the concession of bail. He, on instructions, has submitted that out of total 15 prosecution witnesses, only 03 witnesses have been examined. He has produced on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that case of the prosecution is based on the circumstantial evidences. The evidences produced against the petitioner as submitted before this Court are the items belongs to the deceased. The custody certificate produced would show that the petitioner has suffered an incarceration of 03 years, 03 months and 09 days as on 11.09.2025. It further reflects that the petitioner has no criminal antecedents. Whether the chain of circumstantial evidences is complete or not that would lie within the domain of the trial Court and this Court would refrain from commenting anything on the merits of the case. However, after completing more than 03 years of incarceration, out of 15 prosecution witnesses, only 03 witnesses have been examined by the trial Court.

6. The veracity of the allegations would be assessed only after

conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

12.09.2025
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(RAJESH BHARDWAJ)
JUDGE

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