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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

222

CRM-M-49947-2025
Date of decision: 10.12.2025

RIJWAN

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Balraj Gujjar, Advocate for the petitioner.

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

YASHVIR SINGH RATHOR. J.(Oral)

1. Present petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.231 dated 12.10.2024, under Section 103(1) and 3(5) of BNS, registered at Police Station City Nuh.
2. Status report by way of affidavit of Ayush Yadav, IPS, Assistant Superintendent of Police, Nuh has been filed on behalf of respondent-State and the same is taken on record.
3. The present case was registered on the basis of complaint given to the police by Mubina with the allegations that one Dilsad, Rizwan son of Subhan, Sahun, Naushad, Abdul, Arshad son of Noordin, Sehnaz wife of Nosad, Sarjina wife of Abdul, Kulsum wife of Arshad and other residents of Ward No.01, park



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their auto-rickshaws in front of their house, as a result of which they used to have some altercation. Due to this, they used to keep a grudge against her family and had threatened to kill her son Wajid Hussain several times. On 20.09.2024, her son Wajid Hussain had gone in a religious congregation and on 11.10.2024 at about 9:00 pm, Sahnaz wife of Nausaad and Dilshad son of Subhan and Nausaad etc. called her telephonically at their house and in a well-planned hatched conspiracy, they caused injuries to him by locking the door of the house and murdered him. When they got suspicious, they went to their house but all the accused were sitting outside the house after locking the door. They refused to open the lock but when many people assembled there, they forcibly broke the lock and found her son lying dead in the house, who had been strangled. With these allegations FIR was registered and the matter was investigated. On 12.10.2024, accused Arsad and Naushad were arrested and they suffered disclosure statements. On 13.10.2024, accused Sehnaz was arrested. Accused Arsad also got recovered the scarf with which the deceased had been strangled. On 22.10.2024, complainant got recorded a supplementary statement regarding involvement of Nadeem @ Gandhi and Rijwan (petitioner) as co-accused. The call detail record (CDR), ID CAF and tower location of petitioner and co-accused were obtained from which it was revealed that petitioner was present at the place of occurrence at the time of incident. On 23.10.2024, petitioner Rijwan was arrested and after completion of investigation, challan was presented for trial.

4. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

5. Learned counsel for the petitioner contended that petitioner has not



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been named in the FIR and he was subsequently named on 22.10.2024, after a delay of 10 days of lodging of FIR and he has been implicated merely on the basis of suspicion. Learned counsel further contended that complainant in the FIR nowhere named the petitioner as the person who was present at the scene of crime. Learned counsel next contended that the place of incident is a crowded place surrounded by many houses and mobile location of several persons can be found at the same place and this circumstance alone is not sufficient to connect him with the alleged offence. Petitioner is in custody since 23.10.2024. Only 02 witnesses have been examined out of 23 witnesses cited by the prosecution till date. Co-accused Rizwan son of Subhan, who had been named in the FIR had been released on anticipatory bail by a Co-ordinate Bench of this Court. Case of the petitioner is on a better footing and he too is entitled to be released on bail. The trial is likely to take a long time to conclude and further detention of the petitioner is not required and he may be released on bail.

6. On the other hand, learned State Counsel has opposed the bail and argued that in view of the gravity of the offence, petitioner does not deserve the concession of bail.

7. Petitioner has not been named in the FIR and he was named in the supplementary statement after 10 days of the occurrence merely on the basis of suspicion. Petitioner is not the owner of the house where murder took place. Co-accused Rizwan who was named in the FIR has been released on anticipatory bail but case of petitioner is on a better footing. Petitioner is in custody since 23.10.2024. Only 02 witnesses have been examined out of the 23 witnesses cited by the prosecution till date. Trial is likely to take a long time to conclude and



further detention of the petitioner is thus not required and he deserves to be released on bail.

8. 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 furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

10.12.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No