



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

220

Criminal Revision No.2301 of 2024
Date of decision: August 19th, 2025

Sahil

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Akash Juneja, Advocate (through V.C.)
for the petitioner.

Mr. Shiva Khurmi, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J.

The petitioner is impugning the order dated 11.10.2024 passed by learned Additional Sessions Judge, Rohtak, whereby his application for grant of bail in FIR No.259 dated 18.06.2020 under Sections 364, 302, 201, 120-B of the Indian Penal Code, 1860 registered at Police Station Meham, Rohtak, has been dismissed.

2. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. Drawing attention to the FIR (Annexure P-1), it is urged that no specific injury has been attributed to the petitioner, nor has any recovery been effected from him. Even the alleged weapon of offence, i.e., the knife, was recovered from a co-accused. It has still further been submitted that the case at hand rests purely on circumstantial evidence inasmuch as there is no eyewitness to the occurrence.

3. Learned counsel has also pointed out that the petitioner was a juvenile at the time of the alleged incident and was so declared by the

learned trial Court on 06.09.2021. Placing reliance on Section 12 of the The Juvenile Justice (Care and Protection of Children) Act, 2015, it is contended that bail is the rule and refusal the exception. The petitioner has been in custody since 18.06.2020 and has already undergone more than five years of incarceration. It has, therefore, been contended that his further custody would serve no useful purpose for which he deserves to be now enlarged on bail.

4. *Per contra*, learned State counsel, on instructions, has vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted that the case is one of brutal double murder arising out of an honour killing. Deceased-Surinder had married against the wishes of his in-laws, which led to the conspiracy and subsequent killing of both Surinder and his wife Pooja. The petitioner, who is the cousin of prime accused Ajay (brother of deceased Pooja), is alleged to have played an active role in the commission of the crime. Specifically, the allegation against the petitioner is that he, along with others, fastened a rope around the neck of Surinder while Ajay inflicted knife blows. It has also been submitted that even as per the Post-Mortem Report, the cause of death is asphyxia due to strangulation, thereby directly linking the petitioner's role to the murder.

5. It has also been contended that this is not a case of passive presence but of active participation in a pre-planned honour killing, an offence which strikes at the very foundation of a civilised society. Learned State counsel has, on further instructions, submitted that the trial is proceeding expeditiously, the complainant and other material witnesses have already been examined, and they have supported the case of the prosecution.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. *Prima facie*, the allegations against the petitioner are grave and serious. The specific role attributed to the petitioner is of fastening a rope around the neck of deceased-Surinder, when read in conjunction with the medical opinion that the cause of death was strangulation, directly implicates him in the commission of the offence. The fact that the case arises out of an honour killing enhances its gravity, for such crimes are an affront to human dignity and the rule of law.

8. It is true that the petitioner was a juvenile at the time of occurrence and that he has undergone a considerable period of incarceration. However, in the facts and circumstances of the present case, these factors cannot eclipse the seriousness of the allegation or the active role attributed to the petitioner in the actual homicidal act. The trial is already underway and material witnesses have supported the case of the prosecution.

9. In view of the seriousness of the allegations, the petitioner's active participation in the homicidal act, and the broader societal impact of honour killings, this Court is not inclined to extend him the concession of bail. Accordingly, the instant petition stands dismissed and the order dated 11.10.2024 passed by learned Additional Sessions Judge, Rohtak, is upheld.

10. However, the trial Court shall make earnest efforts to expedite the trial in the long custody period of the petitioner and endeavour to conclude it at the earliest preferably within the next four months.

11. It is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

August 19th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No