

2025:PHHC:038317



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222

CRM-M No.60358 of 2024
Date of Decision: 19.03.2025

Sonia ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. R.S. Randhawa, Advocate,
for the petitioner.

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

Mr. S.K. Kaushik, Advocate,
for the complainant.

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
57	01.03.2024	Narwana Sadar, District Jind, Haryana	302, 120-B, 148, 149 and 216 of IPC and 25, 25 (1) (b) of Arms Act, 1959

2025:PHHC:038317



2. As per the prosecution version, the victim Sushil Sharma was shot at by the accused Vikram along with the co-accused in the morning of 01.03.2024 in the area of Village Badnapur. The victim before his death had made a call to the complainant i.e. his brother Vikas and had informed him that accused Vikram had fired shot upon him. Accused Vikram and Sombir were arrested on 05.03.2024. The accused Vikram suffered a disclosure statement admitting his involvement in the murder of the victim and the fact that the murder took place in pursuance of a conspiracy hatched with the co-accused including the petitioner. The petitioner was nominated as accused. She was arrested on 06.03.2024. On interrogation, she suffered a statement disclosing that she was having relationship with accused Vikram who was offended with the victim since the victim was having friendly relations with his sister Sushila in the past and he suspected that the victim was still in contact with his sister. She disclosed that on asking of the accused Vikram, she had developed contacts with the victim through social media. The victim who was working in Gujarat had come to his native place on 28.02.2024. As per the conspiracy hatched with the accused Vikram, she had convinced the victim to meet her at Village Badnapur in the morning of 01.03.2024 and when the victim reached there, the accused Vikram along with the co-accused had killed him by firing shots with pistol. The investigation stands concluded.

3. It is argued by learned counsel for the petitioner that she was not named in the FIR. She has been nominated in this case on the basis of

2025:PHHC:038317



disclosure statement of co-accused Vikram which cannot be considered to be admissible in evidence. She has no hand in the murder of the victim. Neither any motive nor any specific act in the commission of murder of the victim has been attributed. The trial will take time. No call detail record has been collected by the investigation agency to show that she had made calls to the victim or the co-accused on the fateful day or before that. No recovery is to be effected from her. She is in custody for a period of more than one year. Her further incarceration would not serve any purpose. Therefore, it is urged that she deserves to be released on bail.

4. Status report has already been filed. Learned Assistant Advocate General, Haryana assisted by learned counsel for the complainant has argued that the allegations against the petitioner are serious in nature. Her mobile phone has been recovered. She was active participant in the conspiracy hatched with the co-accused to eliminate the victim. She had friendly relations with the co-accused Vikram and on his asking, had developed intimacy with the victim. The call detail record of the cell phones of the victim as well as the petitioner show her complicity in the conspiracy of murder of the victim. There are serious allegations against her. There are chances of her absconding or intimidating the witnesses. There is nothing on record to suggest that there would be any undue delay in conclusion of the trial. Accordingly, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable

2025:PHHC:038317



length and have gone through the record.

6. The petitioner along with the co-accused, has been chage-sheeted for commission of offences punishable under Sections 120-B and 302 read with Section 120-B of IPC on the allegations that by hatching conspiracy with the co-accused Vikram to eliminate the victim, she had developed intimacy with him and had called him at Village Badnapur in the morning of 01.03.2024 and had facilitated the commission of offence of murder of the victim by the co-accused. The investigation has revealed the fact that the petitioner had made call to the victim as well as to the accused Vikram on the previous night as well as in the morning of the date of occurrence. The allegations against her are serious in nature. Keeping in view the gravity of the accusations, the quantum of sentence which the conviction may entail and the attendant facts and circumstances, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

19.03.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No