



CRM-M-60656-2024

1

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

211

**CRM-M-60656-2024
Decided on :26.05.2025**

Baldev Singh

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Edward Augustine George, Advocate for the petitioner.

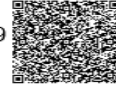
Mr. Surender Singh Pannu, Add. A.G., Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.468 dated 26.10.2022, under Section 302 IPC, registered at Police Station Civil Line Kaithal.

2. Complainant, Balraj, has alleged that his sister, Rani, was married to the petitioner, Baldev Singh, approximately 24 years ago. It is stated that the petitioner intended to sell a plot of land, which was objected to by the deceased Rani. Due to this dispute, Rani had lodged a complaint with the police against her husband; however, the matter was subsequently settled through a Panchayati intervention.

On the morning of 26.10.2022, the complainant received information that his sister Rani had been killed by the accused. Upon reaching the spot, he found her lying in the cattle shed with a scarf (*chunni*) tied around her neck. Suspecting the petitioner, he lodged the present FIR.

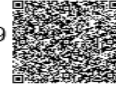
**CRM-M-60656-2024****2**

3. Learned counsel for the petitioner contends that there is no eyewitness account and the case rests entirely on circumstantial evidence. Despite the completion of the investigation, no direct or indirect evidence has been brought on record to implicate the petitioner. To cast doubt on the version of the complainant, it is submitted that during the course of investigation, no recovery was made, including any plot of land that the petitioner allegedly attempted to sell against the wishes of the deceased, nor has any complaint lodged by the deceased in that regard been produced.

It is further submitted that the petitioner is in custody for the last about 2 years and 7 months. Counsel also argues that since the cattle shed is not part of the main residential premises, it cannot be conclusively alleged that the unnatural death took place inside the petitioner's house, nor can it be presumed that the petitioner had exclusive knowledge of the events that transpired.

Learned counsel further submits that, out of a total of 21 prosecution witnesses, only 7 have been examined so far. It is also emphasized that the petitioner has no other criminal case pending against him. In light of the prolonged custody and the slow progress of the trial, counsel prays for the grant of regular bail.

4. On the other hand, learned State counsel vehemently opposes the prayer for bail and submits that there is ample evidence available on record against the petitioner. It is argued that, since the recording of statements of prosecution witnesses has already commenced

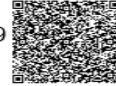
**CRM-M-60656-2024****3**

and the petitioner is the sole accused in the case involving the murder of his own wife, he does not deserve any sympathy at this stage, therefore, prays for dismissal of the present petition.

5. Heard learned counsel for the parties and perused the material available on record. Taking into consideration the fact that the petitioner has been in custody for approximately two years and seven months, that two-thirds of the prosecution witnesses are yet to be examined, and that the petitioner is not involved in any other criminal case, coupled with the fact that no formal complaint was ever filed by the deceased before any authority or the police regarding any dispute with the petitioner prior to the alleged incident. All these aspects, including the veracity of the prosecution's case, shall be considered during the course of the trial, upon completion of the evidence. At this stage, this Court is of the considered view that the matter warrants consideration for the grant of regular bail.

This Court is also of the view that the petitioner deserves an opportunity to rehabilitate and reintegrate into society. Therefore, without making any comments on the merits or quality of the evidence collected by the prosecution, and primarily considering the petitioner's prolonged incarceration as well as the non-examination of material witnesses, this Court is of the considered opinion that the personal liberty of the petitioner cannot be curtailed indefinitely.

6. Considering the aspects and circumstances, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the

**CRM-M-60656-2024****4**

learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

9. Petition stands disposed of.

10. Pending application(s), if any, shall stands disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

26.05.2025*Rashmi*

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