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

CRM-M-61791-2024

Date of Decision:- 01.04.2025

NARENDER ALIAS NARRU

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sudhir Rana, Advocate for
Mr. A.S. Sheoran, Advocate for petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.291 dated 09.12.2022 under Sections 302 and 201 IPC (Sections 376, 120-B & 34 IPC added later-on) registered at Police Station Rampura, District Rewari.

2. As per the facts of the case, complainant Jitender Singh gave information to the police that on 09.12.2022 at about 11.30 am he had gone to his fields. After crossing Sulkha Rajiyaki canal, he saw a dead body lying in the fields of Singh Ram and noticed that mouth and neck of the dead body was tied with a chhuni. There were injuries on the face and head. On the basis of this information, present FIR was registered.

3. During investigation, efforts were made to know about the identity of deceased lady and photographs were shown to several persons. Ultimately, it was revealed that said lady was related to Ajay son of Daya



Parsad working in Life Long Company. Said Ajay identified the dead body on the basis of tattoo 'DKR' embossed on the hand of deceased victim namely Divya. Clothes of the victim were also shown and he identified the same. His statement was recorded. Accused Deepak was joined in investigation on the statement of Ajay. Said Deepak further named present petitioner Narender @ Naru.

4. Learned counsel for petitioner argued that petitioner is falsely implicated in this case. As per disclosure statement, deceased Divya was having illicit relations with co-accused Deepak who became pregnant. She was pressurizing Deepak to marry him and it was Deepak who hatched conspiracy allegedly with the petitioner to get rid of her. Thereafter, he was arrested on 03.07.2023 and his disclosure statement was also recorded while he was in police custody. During the course of trial, prosecution has examined material witnesses Raj Kumar - PW6 (Annexure P-2) who did not support the prosecution case during cross-examination. Thereafter, statements of Jitender (PW1), Priyanka Kushwaha (PW7) and Ajay husband of the victim (PW-21) recorded as Annexures P-3 to P-5. They did not connect the present petitioner with the said crime. Main accused Deepak has been granted regular bail in CRM-M-43841-2024 decided on 10.09.2024 (Annexure P-6). Present petitioner is ready to abide by the terms of bail order. He does not have criminal antecedents. His regular bail application was wrongly declined by learned Additional Sessions Judge, Rewari vide order dated 03.10.2024 (Annexure P-7). It is submitted that his regular bail application may be allowed.

5. Bail application is opposed by learned counsel for the State.



Detailed status report has been filed. It is pointed out that petitioner was arrested on 03.07.2023 and during the course of interrogation, his disclosure statement was recorded. There are specific allegations against petitioner that he murdered Divya by taking money from Deepak. During investigation, call detail record has been collected. After the murder of Divya, a video was prepared and it was sent to co-accused Deepak. Out of 43 prosecution witnesses, 19 witnesses have been examined. As per the facts of the case, deceased victim was pregnant when she was murdered. There are specific serious allegations against petitioner and he does not deserve regular bail.

6. I have considered the arguments and have gone through the record carefully. Entire case of the prosecution is based on circumstantial evidence. Statements of the witnesses recorded in this case will be appreciated at the time of conclusion of trial. Witnesses referred above i.e. Jitender complainant (PW1), Priyanka Kushwaha (PW-7) and husband of the victim Ajay examined as PW-21 are not the eye witnesses to the occurrence. Case is build up during the course of investigation. Investigating agency collected call detail record and other evidence to connect the accused with the said crime. As per the facts, it was petitioner who allegedly murdered a pregnant lady for money. Considering the allegations and gravity of offence, I do not find a fit case for grant of bail and the same is, accordingly, declined.

01.04.2025

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No.
Yes/No