



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

**CRM-M-61717-2025
Date of decision: 10.11.2025**

SOHAN LAL

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Ajay Kumar Dahiya, Advocate for the petitioner.

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

YASHVIR SINGH RATHOR. J.(Oral)

1. Present petition under Section 483 of BNSS, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.311 dated 03.08.2021, under Sections 302 and 34 of IPC, registered at Police Station Agroha, District Hisar.
2. Brief facts of the prosecution case are that on 03.08.2021, a telephonic information was received in the police station that one dead body was lying on Landhari-Nagthla road. Police party reached at the spot and found that the dead body had ligature marks on the neck and later on, it was identified to be the dead body of Rajender son of Lilu Ram, who identified the body. Thereafter, Lilu Ram got recorded his statement to the effect that he is residing in village Dhansu. His elder son Rajender (deceased) was married to Pooja, daughter of Shamsher in the year 2010. In the year 2015, Pooja was administered poison by her father and brother and she had died. However, a case had been lodged against him and his family members but later on, case of murder was registered against



her father and brother. Two persons namely Shamsheer and Anil were held guilty and convicted for her murder and sentenced to undergo imprisonment for life, who both are on bail now. He further alleged that his son Rajender had gone to Hisar for some work 3-4 days ago and later on, he came to know that his dead body was lying at Landhari-Nagthla road and he died due to strangulation. He suspected that his son Rajender has been murdered by Anil son of Shamsheer and sons of uncle of Vijay, namely, Ashok, Bajrang and Kuldeep and he sought action against them. During investigation, brother of the deceased namely Parveen got recorded his statement that his brother had made a call to him on 02.08.2021 from mobile No.8053501662, which was owned by Pawan, who runs a Dhaba at Chhapra near ITI Chowk, Hisar. Said Pawan was joined in the investigation and it was revealed that on 02.08.2021 at about 11:30 PM, Tarsem and Sohan Lal(petitioner) had taken Rajender along with them in an ambulance, who was already drunk. Said Tarsem and Sohan Lal (petitioner) were arrested on 06.08.2021 and they suffered the disclosure statements, admitting having committed the crime in question and having murdered the deceased after strangulating him and having disposed of his dead body. They got recovered the ambulance, from which one Angochha/Parna (scarf) was also recovered. Petitioner-Sohan Lal demarcated the place where he had thrown the purse of deceased and he got recovered the said purse, containing his personal belongings and he also demarcated the place where he had thrown the mobile phone of deceased Rajender. The call details record and cell ID of the mobile phones of Tarsem and Sohan Lal were obtained and on 02.08.2021, it was found that the accused were present near ITI Chowk, Hisar. Location of the mobile phone of co-accused Tarsem on 03.08.2021 at 01:05 am was found to be of Chikanwas (Landhari-Nangthala road) and at 01:45 am. Tarsem had returned to



Hisar and at 02:28 am, his location was found to be of village Mirka. After completion of investigation, final report 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 the present case is based upon circumstantial evidence. The offence in question was committed by unknown persons and they were not named in the FIR, even on the basis of suspicion. A false witness namely Pawan has been introduced later on i.e. after a delay of two days, who allegedly saw deceased in their company. Learned counsel further contended that there is no evidence against the petitioner except his own disclosure statement, recovery of ambulance and the location of his mobile phone. Petitioner is in custody since 06.08.2021 and out of total 21 witnesses cited by the prosecution, only 13 have been examined. Learned counsel submitted that co-accused namely Tarsem has already been released on bail by this Court vide order dated 13.10.2025 (Annexure P-4). Learned counsel next contended that 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. The present case is based upon circumstantial evidence. The offence in question has been committed by unknown persons. Petitioner was not named in the FIR, even on the basis of suspicion. He was allegedly seen in the company of deceased by one Pawan, who runs a dhaba. The only evidence against the petitioner is his own disclosure statement. As to how much evidentiary value will



be attached to disclosure statement shall be subject matter of trial. The other evidence against the petitioner is recovery of ambulance and Parna, which was allegedly used in strangulating the deceased as well as location of his mobile phone. The evidence against the petitioner is thus regarding the location of his mobile phone and there is no possibility of petitioner winning over any witness. Petitioner is in custody since 06.08.2021 and out of total 21 witnesses cited by the prosecution, only 13 have been examined. co-accused namely Tarsem already been released on bail vide order dated 13.10.2025 (Annexure P-4) and as such, petitioner too is entitled to be released on bail on the ground of parity. Trial is likely to take a long time to conclude and further detention of the petitioner is 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.

9. Pending misc application (s), if any, shall also stand disposed of.

10.11.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

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