



CRM-M-65000-2024

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

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CRM-M-65000-2024

Date of decision: 24th February, 2025

Rajesh Sharma @ Rajesh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Anupam Bhanot, Advocate for the petitioner.

Ms. Himani Arora, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 87 dated 27.05.2022 registered under Sections 302, 201 read with Section 34 of IPC at Police Station Kartarpur, District Jalandhar, Punjab.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement got recorded by the complainant Jagir Singh on 27.05.2022 alleging therein that he was an agriculturist and had kept the victim Jai Ram Sharma, as his helper for the purpose of doing agricultural work. He had been assisting him from the last twenty years. He had been living alone in the house of the complainant since September, 2021 as his family was residing in Bihar. About one month back, his sons Sanjit Sharma @ Laltu



and Rajesh Sharma, had come to meet him and they were residing with him. In the morning of 27.05.2022, the complainant had gone to see his cattle and found that all the articles on the upper portion of the haveli, wherein the victim had been residing were found scattered. He went there and found the victim Jai Ram Sharma to be lying dead. There were several injuries on his person. His sons were missing. While alleging that he suspected that the victim had been murdered by his sons, he prayed for taking action in the matter.

3. As per the further allegations, post mortem examination of the dead body and inquest proceedings were conducted. Multiple stab wounds were found on the dead body, which were sufficient to cause death in the ordinary cause of nature. The petitioner Rajesh Sharma @ Rajesh and the co-accused Sanjit Sharma @ Laltu, sons of the victim were arrested on the same day. They were interrogated and suffered disclosure statements to the effect that on the fateful day, they had asked the victim for money, who had started giving abuses to them and feeling offended, accused Sanjit Sharma had hit the victim on his head with an iron shovel and the petitioner had inflicted injuries with an iron knife. The victim had fallen down and died. They had tied the dead body with a rope and brought it down from the roof with intent to take the same outside but suspecting that someone was coming towards them, they had fled. They also got recovered the weapon used by them for committing murder of their father. Investigation stands concluded and the petitioner along with the co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has



been falsely implicated in this case. He is in custody since 27.05.2022. The disclosure statement allegedly suffered by him is not admissible in evidence. There is no eye-witness to the murder of his father. The case rest upon circumstantial evidence. There is no circumstance to connect him with the allegations. Trial is likely to take time. His further detention would not serve any useful purpose. He has clean antecedents. Therefore, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Punjab that there are serious allegations against the petitioner. There are several circumstances pointing towards the involvement of the petitioner in the subject crime. The trial is going on and there is nothing to show that there would be any undue delay in conclusion of the same. At the time of occurrence, the petitioner and the co-accused were staying with the victim. The petitioner has not been able to give any other cause of the death of the victim. There are chances of his absconding, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have committed the murder to his own father on the intervening night of 26/27.05.2022. He was staying with his father at the time of this occurrence. The allegations against him are quite serious in nature. The trial is going on at a proper pace. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may



entail and the attendant facts and circumstances but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petitioner does not deserve to be released on bail. Hence, the petition is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

24th February, 2025
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No