



CRM-M-66011-2025

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

CRM-M-66011-2025

Date of Decision: 01.12.2025

Wasim

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. G.C. Shahpuri, Advocate, for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

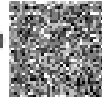
Ms. Diya Sodhi, Sr. DAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.379 dated 13.07.2023 under Sections 302 & 201 IPC, registered at Police Station City Jagadhri, District Yamuna Nagar.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of complainant Jishan son of Mohd. Rafiq. It was alleged that his sister Marzina (deceased) solemnized 3rd marriage with Wasim (petitioner). She was blessed with a daughter from her earlier marriage. His sister was living with Wasim alongwith her daughter. About 2-3 months before the incident, his sister Marzina went to meet her brother Mukeem in Palam Kailashpur Colony, Delhi and from there she went to Jagadhri to meet her brother-in-law (Jija), namely, Idrish on 11.07.2023. On the very same day i.e. 11.07.2023, she left her brother-in-law's home without informing and leaving her daughter with her Jija. Thereafter, she went missing. They kept on searching her, however, she could not be found.

However, police informed that a dead body of a woman was found. On

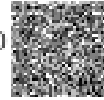


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identifying the same by the complainant, it was found to be of his sister Mazina. Thus, request was made by the complainant that his sister has been murdered by someone by slitting her throat and thus, legal action be taken. On the registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner, who is none other than the husband of the deceased, was surfaced and thus, he was arrested on 14.07.2023. The petitioner approached the Court of learned Additional Sessions Judge (Exclusive Court for Heinous Crime Against women), Yamuna Nagar at Jagadhri praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 12.11.2024. Earlier also, the petitioner approached this Court by way of filing CRM-M-62321-2024, however, the same was dismissed as not pressed vide order dated 17.12.2024. Hence, the petitioner has again approached this Court praying for grant of regular bail by way of filing the present second petition.

3. It has been vehemently contended by learned counsel for the petitioner that admittedly, the petitioner is the husband of the deceased. It was the third marriage of the deceased with the petitioner. He submits that the petitioner was roped in the present case on the basis of presumption and assumption. He submits that deceased left home to meet her brother in Delhi and thereafter, she went to meet her brother-in-law in Jagadhri and from there she went missing on 11.07.2023. He submits that the FIR was registered after a delay of two days, wherein the petitioner was roped in the present case. He submits that the case of the prosecution admittedly is based



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on circumstantial evidence and the evidence produced against the petitioner is recovery of weapon i.e. razor and some call details. He submits that as per the law settled, prosecution is to stand on its legs and as the case is based on circumstantial evidence, the prosecution is to prove the complete chain of evidence. However, on the basis of sketching evidence, the prosecution has miserably failed to produce any credible evidence against the petitioner. He submits that the petitioner has no criminal antecedents. He submits that the petitioner is behind the bars from the last more than two years, however, the prosecution has examined only nine witnesses so far. He, thus, submits that in the facts and circumstances of the present case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. She has submitted that the petitioner was not a stranger to the deceased rather he is her husband. She submits that the petitioner had strong motive to eliminate the deceased Marzina as he doubted her character. She submits that call records and weapon of offence had been taken into custody by the Investigating Agency and the complicity of the petitioner was established during the investigation. On instructions, she submits that out of total 25 prosecution witnesses, 09 witnesses have been examined. She has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution admittedly is based on the circumstantial evidence. Main evidence relied upon by the prosecution as contended before this Court is recovery of weapon and some call records.



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The petitioner is the husband of the deceased. The custody certificate would show that the petitioner has suffered incarceration of 02 years, 04 month & 12 days as on 29.11.2025. It further shows that the petitioner has no criminal antecedents. Needless to say that the every accused has the right of speedy trial.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

01.12.2025

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Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No