



CRM-M-5972-2025

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

Sr. No.107

CRM-M-5972-2025

Date of Decision: 07.03.2026

VIKAS ALIAS MONU

...Petitioner

Versus

STATE OF HARYANA

...Respondent

**CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU**

Present:- Dr. Pankaj Nanhera, Sr. Advocate, assisted by  
Mr. Paramvir Singh Doon, Advocate  
for the petitioner.

Mr. Sushil Bhardwaj, Addl. A.G. Haryana and  
Ms. Jasmine Gill, AAG, Haryana.

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**MANDEEP PANNU, J. (Oral)**

1. This is the second petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in case FIR No. 169 dated 16.07.2022, registered under Section 302 read with Section 34 of the Indian Penal Code at Police Station Sadar Tohana, District Fatehabad, Haryana.

2. Briefly stated, the case of the prosecution is that the proceedings in the present case were initiated on the statement of Ajay @ Ajju son of Krishan Kumar, resident of Kudni Head. It was stated that his brother Sanjay @ Sanju was married to Nikhita and they were residing together. Nikhita was pursuing an ANM course at Bhanbhora and used to travel daily from village Jamalpur Shekhan to Bhanbhora. On 15.07.2022, in the evening, Sanjay @ Sanju had gone on a motorcycle to bring his wife



Nikhita from Jamalpur Shekhan bus stand. However, he did not return home and later it came to the knowledge of the family members that he had been murdered and his body was lying in General Hospital, Tohana. Nikhita disclosed that while she and her husband were returning on the motorcycle near village Rahanwali, three unknown boys came on another motorcycle, stopped their vehicle in front of them, started abusing her husband and thereafter attacked him and pressed his neck, as a result of which he became unconscious. Thereafter, the assailants fled from the spot and she took her husband to Sangam Hospital, Tohana, but he was not admitted due to his serious condition and later at General Hospital, Tohana he was declared dead.

3. On the basis of the said statement, proceedings under Section 174 Cr.P.C. were conducted and post-mortem examination of the deceased was carried out. Subsequently, on 17.07.2022, a supplementary statement was made by Ajay @ Ajju wherein it was alleged that the deceased had in fact been murdered by his wife Nikhita in conspiracy with the present petitioner Vikas @ Monu son of Raju Ram, with whom she was allegedly having illicit relations. It was further alleged that a dispute had arisen between the deceased and his wife after he came to know about the said illicit relationship, and therefore action was sought to be taken against them.

4. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. It is argued that initially the FIR was registered against three unknown persons and no suspicion was raised against the petitioner. The name of the petitioner surfaced only in the supplementary statement of the complainant recorded



on 17.07.2022 wherein a completely different version was introduced alleging that the deceased was murdered by his wife Nikhita in connivance with the present petitioner on account of alleged illicit relations. It is further contended that the entire case of the prosecution is based upon circumstantial evidence and there is no eye-witness to the occurrence. Learned counsel submits that there is no evidence to prove the alleged illicit relationship between the petitioner and the co-accused Nikhita. It is also argued that the ocular version does not match with the medical evidence and the prosecution story is full of contradictions. Learned counsel further submits that the petitioner was arrested on 18.07.2022 and has been in custody since then and has undergone custody of more than three years and seven months. It is also submitted that although the challan was presented long ago, the trial is progressing slowly and only some of the prosecution witnesses have been examined so far. Therefore, it is prayed that the petitioner be released on regular bail.

5. On the other hand, learned State counsel has opposed the present bail application and submitted that the allegations against the petitioner are grave and serious in nature. It is contended that the deceased was murdered by his own wife Nikhita in connivance with the present petitioner with whom she was allegedly having illicit relations. It is further argued that the petitioner is the main accused who strangled the deceased by using his scarf tied on his head. Learned State counsel further submits that the Aadhaar card of the petitioner was recovered from the place of occurrence which clearly connects him with the crime. It is also argued that out of the total prosecution witnesses, a substantial number of witnesses



have already been examined and they have supported the case of the prosecution. In view of the seriousness of the allegations and the evidence available on record, it is submitted that the petitioner is not entitled to the concession of regular bail.

6. After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that the present petition does not merit acceptance. The petitioner is facing trial for the offence punishable under Section 302 IPC which involves serious allegations of murder. As per the prosecution case, the deceased was allegedly murdered by his wife Nikhita in conspiracy with the present petitioner with whom she was having illicit relations and the specific role attributed to the petitioner is that he strangled the deceased. The recovery of the Aadhaar card of the petitioner from the place of occurrence also *prima facie* connects him with the alleged crime. Although the petitioner has undergone custody of about three years and seven months, however, mere long custody cannot by itself be a ground to grant bail in a case involving serious allegations of murder. It is also noticed that out of the total prosecution witnesses, about 18 witnesses have already been examined and they have supported the case of the prosecution, while some material witnesses are yet to be examined.

7. Considering the gravity of the allegations, the stage of the trial and the evidence brought on record, this Court does not find it to be a fit case for grant of regular bail to the petitioner. Accordingly, the present petition is dismissed.



CRM-M-5972-2025 5

8. However, nothing observed herein shall be construed as an expression of opinion on the merits of the case.

9. All pending applications, if any, also stand disposed of.

07.03.2026  
Anu

(MANDEEP PANNU)  
JUDGE

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |