



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M-10741-2025
Decided on : 12.05.2026

ANTIM

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. J.S. Lalli, Advocate, and
Mr. Manish Verma, Advocate,
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Antim, aged about 22 years	745	25.11.2022	346 of IPC, 201, 302, 34 IPC (added later on)	Gharaunda	Karnal

2. Deceased in the present case, namely Rajwanti, had left her house stating that she was going to the doctor to obtain medicines.



However, when she did not return home, her son, namely Rakesh Bairagi, got lodged the FIR in the present case on 25.11.2022.

3. Upon examination of the present petition and the investigation process, as reflected in the status report dated 23.04.2025 filed by the State, this Court passed the following order on 13.11.2025:-

“1. xxxxxx xxxxxx xxxxxx

2. *Complainant in the present case is Rakesh Bairagi, son of deceased Rajwanti, aged 52 years. Rajwanti, who was using mobile SIM No.9992395718, was reported missing with effect from 24.11.2022, whereupon a missing FIR was registered at the first instance, without naming any person as an accused. Admittedly, there has been no clue about the whereabouts of Rajwanti, nor her dead body has been recovered.*

3. *As per the status report dated 23.04.2025 filed by learned State counsel, a search report for the IMEI No. 353598573242060 corresponding to Rajwanti's mobile number 9992395718 was obtained on 02.03.2023.*

Upon perusal of the report, it was found that the said IMEI number was in operation with SIM No.8950240860, and calls were made only to mobile number 7055452556, belonging to one Vishal, with whom the petitioner was in a relationship.

4. *Further verification by the Cyber Cell revealed that SIM No.8950240860 was registered in the name of present petitioner, who is a resident of village Harisinghpura, Tehsil Gharaunda, District Karnal. Petitioner and deceased Rajwanti are stated to have been neighbours.*

5. *As per the allegations, petitioner is suspected to have murdered Rajwanti and subsequently cremated her body with the help of her father in order to fabricate a story of her own death.*

6. *On being asked by the Court, learned State counsel, on instructions from ASI Ravi Kumar, informed that IMEI number of Rajwanti's mobile phone was found in use with SIM No.8950240860, making calls to Vishal's number 7055452556, right from the date of Rajwanti's disappearance, i.e., 24.11.2022.*



7. *Let the complete call details prior to 24.11.2022 relating to IMEI number linked to Rajwanti's mobile phone (9992395718) be verified and explained by learned State counsel on the next date of hearing. Learned State counsel is further directed to verify the exact date, on which SIM No.8950240860 first started operating with the IMEI number of Rajwanti's phone.*

Said details are directed to be produced in the form of an affidavit by the concerned Investigating Officer and submit before this Court on the next date of hearing.

8. *List again on 22.01.2026."*

4. Thereafter, considering the seriousness of the matter, this Court, vide order dated 19.03.2026, directed the concerned service provider/Cyber Cell to obtain/furnish the complete call detail records pertaining to the period prior to 24.11.2022 in respect of the mobile phone bearing number 9992395718, stated to be linked with Rajwanti.

For reference, order dated 19.03.2026 is reproduced here below:-

i) *Learned State counsel has filed status report by way of an affidavit of Surinder Kumar, Assistant Sub Inspector, Investigating Officer, Incharge E-Chalan Desk, District Police Office Karnal, in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.*

ii) *Paragraph No. 5 of the status report states that no details beyond a period of two years could be provided by the service provider. Since a serious issue concerning a case of murder is involved, in the interest of justice, a direction is issued to the concerned service provider/cyber cell to obtain/provide the complete call details prior to 24.11.2022 in respect of the IMEI number linked to Rajwanti's mobile phone, i.e., 9992395718.*

iii) *Thereupon, respondent-State shall ensure compliance of the directions recorded in paragraph Nos. 7 and 8 of the order dated 13.11.2025 passed by this Court.*

iv) *Adjourned to 09.04.2026."*



5. Subsequently, State filed a fresh status report dated 08.04.2026, explaining therein that the concerned service providers, i.e. Nodal Officers of Airtel, Vodafone Idea and Reliance Jio, had expressed their inability to furnish the requisite information on the ground that the requested data pertained to a period older than two years.

Relevant portion of the information supplied by Nodal Officers of Airtel, Vodafone Idea and Reliance Jio, appended with the status report as Annexure R-3, reads as under:-

“39.20 The Licensee shall maintain all commercial records/Call Detail Record (CDR)/Exchange Detail Record (EDR)/ IP Detail Record (IPDR) with regards to the communications exchanged on the network. Such records shall be archived for at least two year for scrutiny by the Licensor for security reasons and may be destroyed thereafter unless directed otherwise by the Licensor. Licensor may issue directions/instructions from time to time with respect to CDR/IPDR/EDR.”

Therefore details for more than two year are not available on our online servers.

*Thanking you,
Yours faithfully,
Thanks & Regards,
Nodal Officer (Haryana Service Area)
Vodafone Idea Limited.”*

6. On the other hand, learned State counsel, produces the custody certificate dated 11.05.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 03 years 02 months and 02 days period inside jail and there is no other case registered against her.



7. This Court has heard the submissions advanced by learned counsel for the parties and has also perused the record available before it.

8. Upon examining the previous orders passed by this Court in the present petition, as well as the details of investigation reflected in the status reports, it appears that the relevant call detail records could have been collected or retrieved had timely steps been taken by the concerned Investigating Officer, who was expected to obtain the same from the respective service providers.

However, at this stage, this Court does not deem it appropriate to record any comments or opinion in that regard while adjudicating the present regular bail petition.

9. It is also an admitted position that petitioner is a woman and has remained incarcerated for a custody period of about 3 years 2 months and 2 days, with no previous involvement in any other criminal case.

Furthermore, Legislature has incorporated provisions to ensure that a child, woman, sick or infirm person is not kept in custody for an unduly long period. In this regard, reference can be made to Section 480(1), which reads as under:-

480. When bail may be taken in case of non-bailable offence.

(1) When any person accused of, or suspected of, the commission of any non-bailable offence is arrested or detained without warrant by an officer in charge of a police station or appears or is brought before a court other than the High Court or Court of Session, he may be released on bail, but- (i) such person shall not be so released if there appear reasonable grounds for believing that he has been guilty of an offence punishable with death or imprisonment for life;(ii)



such person shall not be so released if such offence is a cognizable offence and he had been previously convicted of an offence punishable with death, imprisonment for life or imprisonment for seven years or more, or he had been previously convicted on two or more occasions of a cognizable offence punishable with imprisonment for three years or more but less than seven years: Provided that the Court may direct that a person referred to in clause (i) or clause (ii) be released on bail if such person is a child or is a woman or is sick or infirm: Provided further that the Court may also direct that a person referred to in clause (ii) be released on bail if it is satisfied that it is just and proper so to do for any other special reason:

(2) xxxxxxxxxx

(3) xxxxxxxxxx

(4) xxxxxxxxxx

(5) xxxxxxxxxx

(6) xxxxxxxxxx

(7) xxxxxxxxxx”

10. Moreover, out of total 29 prosecution witnesses, although 18 have already been examined, but examination of the remaining 11 witnesses is likely to consume further time and, consequently, conclusion of the trial is also expected to take considerable time. In such circumstances, liberty of the petitioner, who is a woman, cannot be curtailed for an indefinite period.

11. Therefore, considering the totality of circumstances, nature of the allegations levelled against the petitioner, and the factors noticed here above, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

Consequently, prayer made in the present petition is **allowed**.

Petitioner is ordered to be released on bail, subject to her furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief



Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

12. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

13. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

14. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

12.05.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO