



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

Sr. No.235

CRM-M-15197-2026 (O&M)

Date of Decision: 24.03.2026

BITTU

...Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Aditya Sanghi, Advocate
for the petitioner.

Ms. Jasmine Gill, AAG, Punjab.

MANDEEP PANNU, J. (Oral)

1. This is the second petition under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (corresponding to Section 439 of Cr.P.C.) for grant of concession of regular bail during the pendency of trial to the petitioner in case bearing FIR No. 279 dated 09.08.2023, registered under Sections 120-B, 302, 323 of IPC, registered at Police Station Sadar Mahendergarh, Mahendergarh, Haryana.

2. As per the record, the present FIR was initially lodged on the statement of Ajay Kumar, husband of the deceased Anita. In his complaint, he stated that on 08.08.2023 at about 8:00 p.m., he along with his wife Anita and daughter Pooja was returning from Khalda Wala Mandir; he was riding a separate motorcycle, whereas his wife and daughter were travelling on a scooty bearing registration No. HR-34L-5442, driven by his daughter. When



they reached near village Palli, an unknown vehicle allegedly came from behind in a rash and negligent manner and hit the scooty, resulting in the death of his wife at the spot and serious injuries to his daughter. On the basis of the said statement, FIR No. 279 dated 09.08.2023 was registered at Police Station Sadar Mahendergarh initially under Sections 279, 337 and 304-A IPC against an unknown driver. However, during the course of investigation and upon recording of statements of witnesses and collection of other material, it transpired that the occurrence was not a mere road accident as projected by the complainant. Rather, it was alleged that Ajay Kumar himself had conspired to eliminate his wife by staging the incident as a road accident, whereupon Sections 302, 323, 120-B and 34 IPC were added and he was arrayed as an accused. It further surfaced during investigation that the truck involved in the occurrence was allegedly being driven by the present petitioner, while the co-accused Krishan Kumar was also present in the said truck. Consequently, Bittu was also implicated in the case on allegations of having participated in the criminal conspiracy to murder the deceased in furtherance of the common intention of the accused persons.

3. Learned counsel for the petitioner contends that the case of the petitioner is on parity with co-accused Krishan Kumar, who has already been released on regular bail vide order dated 07.03.2026, and therefore, the petitioner is also entitled to the concession of bail. It is further submitted that the deceased died on account of a road accident and the petitioner has no role to play in the alleged occurrence.



4. On the other hand, learned State counsel opposes the prayer for bail and submits that the case of the petitioner is not on parity with co-accused Krishan Kumar. It is contended that though Krishan Kumar was found present in the offending truck, however, the same was being driven by the present petitioner Bittu, who had caused the accident. Therefore, the petitioner is not entitled to be released on bail.

5. After hearing learned counsel for the parties and perusing the record, this Court is of the considered view that the case of the petitioner is not at parity with co-accused Krishan Kumar. As per the material on record, Krishan Kumar was only stated to be present in the offending truck, whereas the said truck was being driven by the present petitioner. It has further come in the testimony of PW-1 (injured) that there was a family dispute between her parents and her father Ajay Kumar had conspired with the present petitioner to eliminate her mother by staging the occurrence as a road accident. The said witness has specifically attributed the role of driving the offending vehicle to the present petitioner. Thus, *prima facie*, it is evident that the petitioner was actively involved in the commission of the offence and had driven the truck which caused the death of the deceased in furtherance of a conspiracy with co-accused.

6. In view of the serious allegations, specific role attributed to the petitioner and the fact that his case is distinguishable from that of co-accused Krishan Kumar, this Court does not find any ground to grant regular bail to the petitioner. Accordingly, the present petition is dismissed.

7. However, nothing observed herein shall be construed as an expression of opinion on the merits of the case.
8. All pending applications, if any, also stand disposed of.

24.03.2026

Anu

(MANDEEP PANNU)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No