



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

Sr. No.218

CRM-M-16833-2026
Date of Decision: 28.04.2026

PRATEEK YADAV**...Petitioner****Versus****STATE OF HARYANA****...Respondent****CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU**

Present:- Mr. Rao Ajender Singh, Advocate
for the petitioner.

Ms. Jasmine Gill, AAG, Haryana.

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 483 of BNSS, 2023 (Section 439 of Cr.P.C.) for grant of regular bail to the petitioner in case FIR No.507, dated 04.07.2025 registered under Sections 103(1), 3(5) of BNS, 2023 (Sections 302, 34 of IPC) at Police Staion Kundli, District Sonipat.

2. Brief facts of the case are that on 29.06.2025, a call was received on Dial 112 regarding a dead body at TDI Kingsberry, Kundli. Police and the FSL team reached the spot, and the body was kept in the mortuary until the family arrived. On 30.06.2025, the deceased's mother, Harvinder Kaur, initially stated that her son had died of a heart attack, leading to the registration of rapat No. 31 at Police Station Kundli. The body was sent for post-mortem to BPS Khanpura Kalan, where injuries, including abrasions and swelling on the head, were observed. Later, on 04.07.2025, the deceased's brother-in-law, Ravi Bhatia, submitted a complaint alleging that



the deceased, Kanwaljit, had been murdered by his friends, namely Prateek, Himanshu, and others. Based on these allegations, an FIR was registered against the petitioner.

3. Learned counsel for the petitioner contends that the petitioner has been in custody for the last about nine months and the trial is progressing at a slow pace. It is argued that the complainant, while appearing in the witness box as PW-1, has turned hostile and has not supported the case of the prosecution. It is further submitted that PW-2, who is the mother of the deceased, is only a formal witness and PW-4, namely the owner of the flat where the alleged occurrence had taken place, has also turned hostile. Learned counsel submits that since the material witnesses examined so far have not supported the prosecution case, nothing incriminating remains against the petitioner and no useful purpose would be served by keeping him incarcerated any further. It is further argued that the petitioner is no longer required for investigation and, therefore, he deserves the concession of regular bail.

4. Per contra, learned State counsel opposes the present petition and submits that serious allegations have been levelled against the petitioner. Learned State counsel submits that the CCTV footage shows that the petitioner was last seen with the deceased and was seen entering and exiting the flat where the dead body of the deceased was recovered. It is further submitted that after the arrest of the petitioner, the weapon of offence i.e. a bottle was recovered on the basis of his disclosure statement. Learned State counsel contends that the witnesses required to prove the aforesaid



circumstances are yet to be examined and, therefore, the petitioner does not deserve the concession of bail.

5. I have heard learned counsel for the parties and perused the record. The present case is admittedly based upon circumstantial evidence. Merely because PW-1/complainant has turned hostile would not, at this stage, materially advance the case of the petitioner, as the complainant is not an eyewitness to the occurrence and the prosecution case primarily rests upon circumstantial evidence. The prosecution has relied upon material circumstances including call detail records showing contact between the petitioner and the deceased, CCTV footage allegedly depicting the petitioner being last seen with the deceased while entering and leaving the flat where the dead body was found, and recovery of the alleged weapon of offence on the basis of the petitioner's disclosure statement. The witnesses required to prove these crucial circumstances are yet to be examined and the case is still fixed for prosecution evidence. Merely because one or two witnesses, including formal witnesses, have turned hostile at this stage does not demolish the prosecution case in its entirety. Rather, if released on bail at this stage, there remains a possibility of the petitioner influencing or tampering with the remaining prosecution witnesses.

6. Considering the seriousness of the allegations and the stage of trial, this Court does not find any ground to grant the concession of regular bail to the petitioner. Accordingly, the present petition is dismissed.

7. However, it is clarified that nothing observed herein shall be construed as an expression on the merits of the case.

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

28.04.2026
Anu

(MANDEEP PANNU)
JUDGE

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