



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

(210)

CRM-M-22572-2026 (O&M)
Date of Decision: 07.5.2026

Ayyaz

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Rosi, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 of BNSS, 2023 has been invoked for grant of regular bail to the petitioner in case FIR No. 163 dated 28.9.2023 under Sections 304-B, 34, 201, 120-B IPC (later on Sections 376, 302 IPC were added and Sections 304-B, 120-B and 34 IPC were deleted), registered at Police Station Bichhor, District Nuh.
2. Mr. Jamshed Ahmed, Advocate puts in appearance on behalf of the complainant and files his power of attorney, which is taken on record.
3. Status report by way of affidavit of Deputy Superintendent of Police, Punhana dated 05.5.2026 has been filed by the State, which is taken on record.
4. The facts, in brief, are that on 28.9.2023, when the police party was present at village Bisru for night patrolling, an information was received from the Control Room that a dead body of a woman was lying at Gubradi road. Upon receiving the said information, the police party reached the spot.



The dead body, a pair of slippers of the deceased, slipper of a man and two pieces of iron cutting blade were found near the dead body, which were taken into police possession. Later on the complainant-brother of the deceased moved a complaint to the police stating therein that the marriage of his deceased sister was solemnized about 12 years ago. He alleged therein that her husband and other family members used to harass her on account of demand of dowry and they committed the murder of her sister due non fulfillment of demands of dowry. On the basis of the said complaint, the present FIR was registered under Sections 304-B, 120-B, 201 and 34 IPC. Investigation was carried out. Subsequently, the petitioner was arrested on the basis of his call location.

5. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case. It is submitted that the petitioner has neither been named in the FIR, nor he committed the alleged offences. The allegations levelled against the petitioner, that he committed rape upon the deceased and thereafter murdered her, are false and baseless. There is no cogent evidence available on record to connect the petitioner with the present case. Learned counsel further submits that the petitioner has undergone an actual custody of 02 years and 07 months and there is no other criminal case registered against him.

6. *Per contra*, learned State counsel as well the learned counsel for the complainant have vehemently opposed the submissions made by the learned counsel for the petitioner. It is submitted that serious allegations have been levelled against the petitioner that he took the deceased on his motor-cycle No. HR-52-H-5955 in King Hotel Oyo, Palwal and committed rape upon her. Thereafter, he took the deceased in the jungle on Bisru road



with a scarf and fled away from the spot after leaving the deceased and her one year old son there.

7. Learned State counsel while placing reliance upon the status report submits that during the course of investigation the location details and CDR of mobile No. 98138-10492 of the husband of the deceased (which was being used by the deceased) and mobile No. 98138-10705 of one Alim-real brother of the petitioner (which was being used by the petitioner) were obtained from the service provider concerned. After examination being conducted upon the above CDR and location of the mobile phones, it was found that the deceased was in constant contact with the petitioner. Moreover, the location of the said mobile numbers was also found to be same from 26.7.2023 to 27.7.2023. Thereafter, the petitioner was arrested and his disclosure statement was recorded, pursuant to which he got recovered TVS motor-cycle No. HR-52-H-5955 and one mobile phone make OPPO along with SIM, which were take into police possession.

8. Learned State counsel has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 02 years and 07 months. The learned State counsel, on instructions from ASI Mahender, submits that in the present case, trial is nearing conclusion as all the prosecution witnesses stand examined and the case is now fixed for recording the statement of the accused under Section 313 Cr.P.C. Therefore, it is submitted that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

9. Heard the learned counsel for the parties.

10. *Prima facie* grave and serious allegations have been levelled

against the petitioner that he took the deceased to a hotel and committed rape



upon her. Thereafter, he allegedly took the deceased into the jungle on Bisru Road via Guwaradi, where he murdered her by strangulating her with a scarf. The material on record, including the CDRs and location details of the mobile phone used by the deceased and by the petitioner, prima facie substantiate the allegations, insofar as it indicates that the deceased was in constant contact with the petitioner, and that the locations of both mobile numbers remained the same from 26.07.2023 to 27.07.2023. Therefore, considering the gravity of the allegations levelled against the petitioner, and the fact that the trial is nearing conclusion with all the prosecution witnesses having been examined, this Court is not inclined to grant the concession of regular bail to the petitioner.

11. Accordingly, the present petition is hereby dismissed.

12. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

May 07th, 2026
Gurpreet Singh

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