



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

221

CRM-M-47433-2025

Date of decision: 27.01.2026

VARSHA

.....PETITIONER

Versus

STATE OF HARYANA

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Divyam Singh, Advocate
for the petitioner.

Mr. Vikram Singh, AAG, Haryana.

SURYA PARTAP SINGH, J.

1. For the commission of offence punishable under Sections 302 and 34 of Indian Penal Code, hereinafter being referred to as 'IPC', the FIR No.273 dated 05.07.2023, has been lodged in Police Station Matlauda, District Panipat. With regard to commission of above-mentioned offence, the petitioner has been arrested. She is in custody, and therefore, craving for the concession of bail. This is third petition for bail, filed by the petitioner, under Section 483 of BNSS.

2. In nut-shell, the facts emerging from record are that the FIR of this case came into being at the instance of Ram Chander, hereinafter being referred to as 'complainant' only. It was alleged by the complainant that marriage of his daughter namely Asha was solemnized with Rahul (the



accused). According to complainant, later on Rahul developed illicit relations with a girl, namely Varsha, who started living in the upper portion of the same house. As per complainant, his daughter Asha was thrown out of her matrimonial home. It was further stated by the complainant that on 04.07.2023 due to repeated insistence by Rahul, Asha alongwith her children agreed to meet Rahul, and therefore, he (complainant) along with Asha and her son Parikshit went to Rahul's house, where Varsha was already present. According to complainant, when Asha found Varsha in his home she objected to that, and thereafter, on the proposal of Rahul, Asha, Varsha and Rahul, went upstairs for talks. As per complainant, thereafter mother of Rahul also arrived on the spot, and they all continued to stay at ground floor. The complainant also alleged that after sometime he heard a scream and when he went upstairs, he found that Rahul was hitting Asha with his sticks due to which Asha suffered injuries on his head and passed away.

3. It is the case of the prosecution that in view of above-mentioned statement, formal FIR of this case was lodged and the investigation taken up, which led to instant trial.

4. Heard.

5. It has been contended on behalf of petitioner that the petitioner has been falsely implicated in the present case, and that the petitioner during her custody in jail has delivered a child which is almost two years old. As per learned counsel for the petitioner for proper upbringing of the child, it is necessary that benefit of bail be accorded to the petitioner.

6. In addition to above, the learned counsel for the petitioner has also contended that despite prolonged incarceration of more than two years and two



months, the trial has not been concluded, and that it is not likely to be concluded in near future, as out of 37 only 02 witnesses have been examined so far.

7. With regard to the fact that present petition is third petition for bail, it has been contended that from the date of dismissal of second petition on 01.08.2025, no significant progress in the trial has taken place and therefore, the petitioner has got a right to file instant petition.

8. The learned State counsel has controverted the above-mentioned arguments. According to learned State counsel, the present case is a case based on direct evidence, wherein there are specific allegations against the petitioner with regard to her involvement in the commission of crime. As per learned State counsel, the petitioner, who was in illicit relationship with the husband of deceased, does not deserve any sympathy or lenient view, and that otherwise also from the date of dismissal of second bail petition, moved by the petitioner, no significant change in circumstances has taken place. The learned State counsel has further contended that in view of above, the present petition for bail is not maintainable.

9. The record has been perused carefully.

10. A perusal of record shows that barely five months ago, the petition for bail moved by the petitioner was dismissed, and from the date of dismissal of second bail petition, no significant change in circumstance has taken place.

11. In addition to above, it is also relevant to mention here that there are very specific and categorical allegations, supported with eye witness account, that the petitioner was actively involved in the commission of crime.

With regard to plea of proper upbringing of child, it is relevant to mention here



that for the proper upbringing of child arrangements are made by the jail authorities including the facility of schooling, and therefore, in the case in hand it cannot be said that the future of the child, who is only two years old, is likely to suffer adversely in the absence of bail to the petitioner.

12. Taking into consideration the cumulative effect of all the above-mentioned factors, it is hereby observed that the present petition for bail is devoid of merit and deserves dismissal. The same is hereby dismissed accordingly.

13. However in view of the fact that the petitioner is already in custody for a period of two years, the learned trial Court is requested to expedite the trial and make every endeavour to dispose of the trial within a period of next 09 months from the date of receipt of copy of this order.

(SURYA PARTAP SINGH)
JUDGE

27.01.2026
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No