

2026:PHHC:024997



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.51686 of 2025

Amir Singh ... Petitioner

Versus

State of Haryana ... Respondent

1.	The date when the judgment is reserved	12.02.2026
2.	The date when the judgment is pronounced	18.02.2026
3.	The date when the judgment is uploaded on the website	18.02.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. D.S. Virk, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under
Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short



“BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
19	17.01.2025	Kalayath (Kaithal), District Kaithal	103(1) and 238(a) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (111(2) (1), 111(3), 111(4), 115(5), 111(6), 61(2) and 253 of BNS added later on)

2. Brief facts relevant for the purpose of disposal of this petition are that on 17.01.2025, dead body of one unknown female was found lying in Matour Road area by the complainant Jogi Ram. It was partially eaten by stray dogs and one truck bearing registration No.HR 56B 0249 was found lying in nearby ditches due to which it appeared that the said female had been crushed by some vehicle and then her dead body was pulled by the stray animals towards the field and was eaten. A case under Section 103(1) and 238(a) of BNS was registered. Investigation proceedings were initiated. Postmortem examination of dead body was conducted. The truck which was found lying at the spot was registered in the name of accused Karambir @ Kala, who was apprehended on 20.01.2025. On interrogation, he suffered disclosure statement to the effect that the victim was Banita wife of accused Rajesh Kumar and in pursuance of a conspiracy hatched with the accused Rajesh Kumar and other accused, the victim was run over by the aforementioned truck. He admitted that he was present near the offending truck at the time of occurrence.

3. The accused Rajesh Kumar and Sandeep were subsequently arrested and as per the disclosure made by the accused Rajesh Kumar,

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accused Dalbir @ Pappu and his son Parvesh Soni were nominated as additional accused. Accused Sandeep also suffered disclosure statement admitting that he had transported the deceased to the place of occurrence by hatching a conspiracy with the co-accused and got recovered the Maruti Brezza used for that purpose. Subsequently, co-accused Virender @ Bindra @ Lori and Ajay were arrested. During the course of further investigation, the petitioner was nominated as accused and was arrested on 23.02.2025. He suffered disclosure statement admitting about the factum of hatching a conspiracy with the co-accused Dalbir @ Pappu for the purpose of killing the victim Banita for money and also about harbouring the accused Dalbir @ Pappu to avoid his arrest by the police. Accused Dalbir @ Pappu was arrested on 25.02.2025. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He is posted as a Constable with Haryana Police. The disclosure statement allegedly suffered by him cannot be considered to be admissible in evidence. The allegations against him are that he had provided food and shelter to co-accused Dalbir @ Pappu and had also provided two sim cards to him but these allegations are totally false. He is in custody since 23.02.2025. He was neither present at the place of occurrence nor any material has been collected to show that he had hatched any conspiracy with the co-accused. No specific role has been attributed to him. The investigating agency has remained totally silent on the point that as to how the name of the petitioner has been

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cropped up. Infact, he was a witness in a case bearing FIR No.4 registered on 07.02.2023 under Section 7 of Prevention of Corruption Act against some police officers/officials of rank of DSP and SHO etc. and to exert pressure upon him, he has been involved in this case. The trial will take considerable time to conclude. His further incarceration will not serve any useful purpose. He does not have any criminal antecedents. There are no chances of conclusion of trial in near future as only 02 witnesses out of 52 witnesses have been examined so far. It is, therefore, argued that the petition deserves to be allowed.

5. Status report has been filed. Learned Deputy Advocate General, Haryana has argued that there are serious allegations against the petitioner who has hatched a conspiracy with the co-accused Dalbir @ Pappu who had conspired with co-accused Rajesh to commit murder of the victim Banita who was wife of co-accused Rajesh for the purpose of availing financial benefits since several insurance policies were taken in the name of the victim qua the vehicles registered in the name of the victim. He had done so in the greed of money. He was an active participant in the conspiracy. He had knowingly assisted and facilitated planned murder for financial gain. His participation forms an integral link in the chain of circumstances establishing the conspiracy. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner was admittedly not named in the FIR. The status

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report is also silent on the point as to by whom and as to how he was nominated as an accused. As per the version of the prosecution, he had guided the accused Dalbir @ Pappu to hatch a plan to kill the victim and that he had harboured the co-accused Dalbir @ Pappu just after the murder of the victim had taken place by providing him shelter in the security agency run by his father and also by providing phones to him and that he had also received a sum of Rs.50,000/- from the co-accused Dalbir @ Pappu in lieu thereof. There is no direct evidence to the murder of the victim. So far as the petitioner is concerned, the allegations against him are qua hatching a conspiracy and harbouring the accused Dalbir @ Pappu after the occurrence. It is only on thorough assessment of the evidence to be produced during the course of trial that any conclusion as to involvement of the petitioner in hatching conspiracy for murder of the victim can be drawn and not at this stage. So far as the allegations qua his harbouring the co-accused are concerned, the same are also to be established only on the basis of evidence to be produced during trial. It is a debatable question as to whether the ingredients for commission of offences punishable under Sections 111(2 to 6) and 238 of BNS are attracted qua him or not? The petitioner is in custody since 23.02.2025. The trial will take considerable time to conclude. The continued detention of the petitioner would not serve any useful purpose. In view of the discussion as made above and the totality of the circumstances, this Court is of the considered opinion that the petitioner has made out a case for grant of concession of regular bail. Accordingly, the



petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

18.02.2026
manju

(MANISHA BATRA)
JUDGE

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