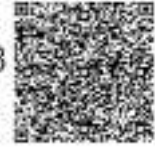


2026:PHHC:037628



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-56823-2025

Date of decision: 11th March, 2026

Bhobal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Pulkit Dagar, Advocate for the petitioner.
Ms. Himani Arora, Deputy Advocate General, Haryana.

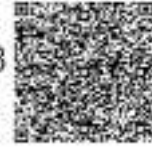
MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 366 dated 04.09.2023 registered under Section 302 of IPC at Police Station Gadpuri, District Palwal.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Jamdesh alleging therein that his elder brother Nawab was a habitual drunkard and used to keep demanding money for the purpose of consuming liquor. On the intervening night of 3/4.09.2023, he came to know that the petitioner-Bhobal, who is his father, had killed his elder brother Nawab by striking blows with an Axe on his neck. He had rushed to the spot and found the dead body of Nawab lying there, whereas his father had fled from the spot.

3. After registration of FIR, investigation proceedings were

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initiated. Post mortem examination of the dead body of the victim was conducted. The petitioner was arrested on 05.09.2023. He was interrogated and suffered disclosure statement admitting his involvement in the crime. He got recovered the Axe used in the commission of offence of the murder. Investigation stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is no eye-witness to the murder of the victim. There is no direct incriminating or circumstantial evidence to connect him with the subject offence. He is a 73-year-old person who has been falsely implicated in this case by his own son who wants to grab his property. He is in custody since long. He has clean antecedents. Trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody anymore. One witness namely Dharam Dev has turned hostile. It is, therefore, argued that the petition deserves to be allowed.

5. *Per contra*, learned State counsel while relying upon the status report has argued that the allegations against the petitioner are serious in nature. The recovery of Axe which is weapon of offence had been effected at the instance of the petitioner in the presence of PW-3 Aarif who is none other than one of the real sons of the petitioner and who has duly supported the fact that the petitioner got effected the recovery of weapon of offence in his presence. The trial has almost concluded as 14 out of 16 prosecution witnesses have already been examined. There are chances of petitioner's absconding if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

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6. This Court has heard learned counsel for the parties at considerable length.
7. The petitioner is alleged to have killed his own son by striking three blows with an axe on his neck on the fateful night. The weapon of offence has been recovered at his instance. His son Aarif has supported the prosecution version with regard to factum of recovery at the instance of the petitioner. The witness who turned hostile was not an eye-witness to the occurrence and had simply identified the dead body of the victim. The allegations against the petitioner are serious in nature. Trial is at its fag end and there are no chances of delay in conclusion of the same. Taking into consideration the nature of the accusations as levelled against him, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petitioner does not deserve to be released on bail. Accordingly, the petition is dismissed.
8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.
9. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

11th March, 2026

Parveen Sharma

1. Whether speaking/ reasoned
2. Whether reportable

: Yes / No
: Yes / No