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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.61402 of 2025

Mahender... Petitioner

Versus

State of Haryana... Respondent

1.	The date when the judgment is reserved	09.02.2026
2.	The date when the judgment is pronounced	12.02.2026
3.	The date when the judgment is uploaded on the website	12.02.2026
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. Lalit Kumar Gupta, Advocate,
for the petitioner.

Mr. Adityapal Singla, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The instant one is the second petition as filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita,

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2023 (For short “BNSS”) seeking regular bail in case arising out of FIR No.85 dated 31.03.2024 registered under Section 302 of IPC at Police Station Narwana Sadar, District Jind. The previous petition as filed by him has been dismissed as withdrawn vide order dated 18.01.2025.

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Ravi alleging therein that his youngest sister Pooja was married with the petitioner about 15-16 years back. Due to matrimonial discord between them, disputes used to occur between them frequently. Due to this, the complainant had started residing in the same vicinity to prevent those disputes. In the morning of 31.03.2024, on receipt of an information that his sister Pooja had been assaulted by the petitioner, he reached at her house and found her dead body to be lying there. After registration of FIR, investigation proceedings were initiated. Postmortem examination of dead body was conducted as per which the cause of death of victim was shock and haemorrhage due to injuries as mentioned in the report. The petitioner was arrested on 31.03.2024. He suffered disclosure statement admitting his involvement in the crime by saying that on the previous night, on account of a quarrel that had taken place between the victim and himself, he had opened an attack upon her with a chilli crusher (wooden stick/kutka) thereby causing injuries on her chest and head due to which she had died and then he fled from the spot. Investigation now stands completed.

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3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The complainant was not eye-witness to the occurrence. A false story had been concocted by him. Even the petitioner was not present at the spot. No recovery has been effected at his instance. Disclosure statement allegedly suffered by him cannot be considered to be admissible in evidence. There is no scientific evidence in the form of finger prints etc. to connect the petitioner with the offence of murder of the victim. The star witnesses namely, PW-4 Manjit, son of the victim and the complainant have been examined and have not implicated the petitioner in commission of subject offence. The trial will take considerable time to conclude. No useful purpose would be served by keeping him in custody any more. Each day spent by him in custody has furnished a fresh ground for extending benefit of bail to him. It is, therefore, argued that the petition deserves to be allowed.

4. Status report has been filed. Learned Assistant Advocate General, Haryana has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have caused injuries with a wooden stick/sotta/kutka to his wife on the intervening night of 30/31.03.2024 leading to her homicidal death. As per the postmortem examination report, the victim had sustained several injuries on her person which included

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grievous injuries as well over vital parts of her body. The petitioner's counsel has drawn the attention of this Court to Annexures P-2 to P-5 which are copies of sworn depositions of the complainant (PW-1), PW-4 Manjeet, son of the victim and the petitioner and two more witnesses namely, PW-2 Pappu and PW-3 Richpal respectively. PW-4 is shown to have stated that no occurrence had taken place in his presence whereas the complainant stated that the victim had suffered injuries by falling down from the roof. PW-2 and PW-3 have stated that the petitioner was not present in his house at the time of occurrence. As discussed above, the death of the victim had taken place on the intervening night of 30/31.03.2024 in her matrimonial house and her dead body was found lying there only till the next morning. The petitioner being husband of the victim was supposed to be present in the same house at the time of occurrence and as such was also presumed to be having special knowledge of fact as to how the death of victim had occurred. However, no such explanation on the part of the petitioner has come in this regard either in this petition or while filing application for bail before the Sessions Court. The allegations against the petitioner are serious in nature which prima facie suggest his complicity in the crime of murdering his own wife. The fact that the complainant who was not eye-witness to the occurrence and the son of the deceased/petitioner have not deposed anything against the petitioner, does not prove his innocence at this stage. Taking into consideration the serious nature of the allegations as levelled against the petitioner, the severity of punishment if the accusations entail a conviction,

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the fact that he stands accused of a heinous crime punishable with capital punishment or life imprisonment and the attendant facts and circumstances, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

12.02.2026
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(MANISHA BATRA)
JUDGE

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