



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

CRM-M-65347-2025
Decided on : 16.04.2026

Anup alias Anoop alias Nupa . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Gagandeep Kaur, Advocate
for the petitioner(s).

Mr. Parveen Kumar Aggarwal, Addl. AG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Anup alias Anoop alias Nupa	438	02.11.2020	302, 377, 303, 201 of IPC, 1860	Rohtak Sadar	Rohtak

2. Learned counsel for the petitioner *inter alia* contends that initially on 22.10.2020, complainant – Parveen, had moved an application to SHO, Police Station Sadar Rohtak that yesterday on 21.10.2020, she along with her husband ‘Jitender’ had gone to the fields. However, after some time, her husband asked her to leave from there (fields), because, he would come later, after irrigating the fields. In the said complaint, it has also been stated that her husband – Jitender, was habitual drunkard. On the next day,



i.e., 22.10.2020 at about 6:00 A.M., when she went to the fields, noticed that her husband is lying dead near the Kotha. However, she expressed no doubt against anybody.

Subsequently, after a period of 10-11 days, one another complaint in writing was submitting by the complainant – Parveen with the improved version that on 21.10.2020, when she along with her husband was irrigating the fields, then at about 6:00 P.M., petitioner – Anup alias Anoop alias Nupa s/o Zile Singh, came to her husband and thereupon, she was sent back to the home.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is argued that except for the allegation that the deceased was last seen in the company of the petitioner, there is no other substantive evidence collected during investigation connecting the petitioner with the occurrence. It is further submitted that during the inquest proceedings conducted on 22.10.2020, no suspicion was raised by the complainant against any person.

4. Learned counsel has also referred to the post-mortem report dated 22.10.2020 to contend that no substantial external injury, except contusion on right temporal region, was noticed on the body of the deceased. It is argued that the possibility of accidental fall could not be ruled out.

Reference has also been made to the FSL report, according to which ethyl alcohol measuring 69 mg% was detected in the body/stomach contents of the deceased marked as Exhibits 1a, 1b and 1c.

5. With regard to the allegations under Section 377 IPC, learned counsel submits that nothing incriminating emerged during investigation or



from the post-mortem examination to substantiate the said allegation.

It is further pointed out that though the petitioner may be involved in other criminal cases, in the present case he has remained inside the jail for a period of 05 years, 04 months and 25 days, as per custody certificate dated 13.04.2026 produced by learned State counsel. Out of the total 19 cited prosecution witnesses, only 10 have been examined so far.

6. On the other hand, learned State counsel has filed the custody certificate dated 13.04.2026 and status report dated 16.01.2026, in Court today. Same are taken on record. Office to tag the same at appropriate place.

Copies thereof have been handed over to the counsel for the petitioner.

7. Learned State counsel while vehemently opposing the prayer for bail, submits that keeping in view the gravity of offence, nature of allegations as well as the antecedents of the petitioner, he does not deserve any leniency. However, he fairly concedes the factual assertions made and noticed here-above by the petitioner counsel.

8. I have heard learned counsel for the parties and gone through the record.

9. Without expressing any opinion on the merits of the case, and keeping in view the totality of the facts and circumstances, particularly the period of incarceration already undergone by the petitioner, the fact that the trial is still in progress, and that only 10 out of 19 prosecution witnesses have been examined so far, this Court is of the considered view that further detention of the petitioner inside the jail would serve no useful purpose.



Accordingly, prayer made in the present petition is **allowed**.
Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

12. Petition stands **disposed of**.

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

April 16, 2026

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*