

**In the High Court of Punjab and Haryana, at Chandigarh****Criminal Appeal No. S-3962 of 2025****Date of Decision: 26.02.2026**

Manjeet alias Monu

... Appellant(s)

Versus

State of Haryana and Others

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Surya Partap Singh.**

Present: Mr. Vinod Ghai, Senior Advocate  
with Ms. Kashish Sahni, Advocate  
for the appellant(s).

Ms. Deepali Verma, Assistant Advocate General,  
Haryana, for the respondent No.1.

**Surya Partap Singh, J.**

1. This appeal against the order dated 03.12.2025 has been preferred by the appellant on the ground that the order passed by the learned Additional Sessions Judge, Jhajjar is not sustainable in the eyes of law.

2. In brief the facts emerging from record are that, that for the commission of offence punishable under Sections 103(1) and 238(a) of 'the Bharatiya Nyaya Sanhita, 2023', and 3(2)(va) of the 'Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989' the FIR No. 111 dated 04.05.2025 has been lodged in Police Station Sihawas, District Jhajjar, Haryana. The above-mentioned FIR came into being in the backdrop of following developments:-

- a) On 04.05.2025 the watchman of village Rudiyawas informed the police about the presence of a dead body of

a woman in the pond of village. On receipt of above-mentioned information, the police officials visited the spot, met the watchman and recorded his statement. In view of above mentioned development the investigation was set into motion. The dead body of deceased was retrieved, got examined post-mortem by the board of doctors, and then efforts were made to establish the identity of the victim. During the above mentioned endeavour on 05.05.2025, it was found that the name of deceased was 'Rekha', and that she was a resident of village Bahu.

- b) It is the case of prosecution that once the above-mentioned formalities were complete, the investigation in this case was taken up and during the course of investigation, the statement of the brother-in-law of deceased, namely 'Umesh Kumar', was recorded. It was stated by him that he had checked the video footage captured by the CCTV camera installed near Government School Khanpur Khurd, and that as per the above-mentioned video footage his sister-in-law 'Rekha' was seen in a white colour vehicle. According to 'Umesh Kumar' and that the same vehicle was seen in their village on 04.05.2025 and that the same was being driven by the appellant.
- c) In his above-mentioned statement the brother-in-law of

deceased raised a suspicion qua the involvement of appellant in the commission of crime.

- d) According to prosecution, pursuant thereto the appellant was arrested and from the vehicle found in possession of appellant 'Aadhar Card', bag and 'PAN card' of the deceased were recovered, which were seized by the police.

3. Heard.

4. The record has been perused carefully.

5. A careful perusal of record shows that in the present case, following are the relevant factors which are necessary to be taken into consideration for a decision:-

- i) that the appellant has already suffered incarceration for a period of more than 9½ months;
- ii) that the instant case is a case wherein there is no eye-witness account and thus, it is based on circumstantial evidence;
- iii) that in order to prove a case on the basis of circumstantial evidence, motive is one of the most significant ingredient, to be proved by the prosecution, but in the present case any such motive has been attributed to the appellant;
- iv) that in the present case there is no credible eye-witness account to support the last seen thereof;
- v) that the story developed by the prosecution with regard to

recovery of personal articles of the deceased from the car of appellant fails to convince a prudent mind, as the above-mentioned articles are worthless articles and there cannot be a reason for the appellant to carry those articles in his car even five days of the recovery of dead body;

- vi) that the most significant aspect to be taken into consideration is that the entire prosecution case is resting upon the plea that last seen evidence was collected by 'Umesh Kumar'. He has already been examined as PW.2. However, the PW.2 has not supported the prosecution case at all qua above-mentioned aspect, It has been specifically deposed by the PW.2 that the appellant was not responsible for the murder of 'Rekha';
- vii) that in his cross-examination, 'Umesh Kumar' (PW.2) has deposed that he never informed the police that he had ever seen the video footage captured in the CCTV camera or that the deceased was seen travelling in the car of appellant;
- viii) that as conceded by the learned State counsel the video footage captured in the CCTV camera has not been collected by the Investigating Officer, as a piece of evidence;
- ix) that the appellant has clean antecedents;
- x) that the trial of the case is not likely to be concluded in near future;

- xi) that the detention of the appellant is not likely to produce a fruitful result;
- xii) that there is nothing on record to show that while on bail, the appellant is likely to tamper with the evidence or influence the witnesses; and
- xiii) that there is nothing on record to show that while on bail, the appellant will not participate/cooperate in the investigation.

6. In view of above mentioned observations, it is hereby held that the appellant is entitled to bail and the present appeal deserves to be allowed. Hence, the same is hereby **allowed** and the impugned order dated 03.12.2025 passed by the court of learned Additional Sessions Judge, Jhajjar, whereby the appellant's application for bail has been dismissed, is hereby set aside.

7. Accordingly, it is hereby directed that the appellant shall be released on bail on furnishing bonds to the satisfaction of learned trial Court. In case, the learned trial Court is not available, on the date of furnishing bail bonds, the learned Sessions Judge shall be at liberty to assign the above case, for the above-mentioned purpose, to any other Court. However, the above-mentioned liberty shall be subject to following conditions:-

- (i) that the appellant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade

- him from disclosing such facts to the Court or to any police officer;
- (ii) that he shall not leave India without the prior permission of the Court;
- (iii) such other condition as may be imposed under sub-section (3) of Section 480 of BNSS, as if the bail were granted under that section.

(Surya Partap Singh)  
Judge

February 26, 2026  
“DK”

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