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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.71513 of 2025

Manjeet ... Petitioner
Versus
State of Haryana ... Respondent

1.	The date when the judgment is reserved	19.03.2026
2.	The date when the judgment is pronounced	23.03.2026
3.	The date when the judgment is uploaded on the website	23.03.2026
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. Rohit Mittal, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Mr. R.S. Dhull, Advocate,
for the complainant.

MANISHA BATRA, J.

1. 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. 224 dated 05.08.2024 registered under Sections 103(1) and 238(a) of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) (Sections 140(1) and 61(2) of

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BNS and Section 25 (1) (A) of Arms Act, 1959 were added later on) at Police Station Julana, District Jind.

2. Adumbrated facts as emanating from the record are that on 05.08.2024, on receipt of an information regarding dead body of some unknown person found lying near Khranti Bridge Area, a police party had reached there. The relatives of the victim-Vijay @ Jadeja had already reached there and had identified the dead body. The complainant Sanjay who is brother-in-law of the victim Vijay submitted a written complaint to the effect that on 03.08.2024, the victim had verbal arguments with someone over a phone call received at his house. He had left home and then his dead body was found. Aforementioned FIR was registered. Investigation proceedings were initiated. Post mortem examination of the dead body and inquest proceedings were conducted. The car of the deceased was found lying in an abandoned condition on 05.08.2024 which was also taken into custody. His mobile phone was also recovered from the same. On 10.08.2024, Sangeeta wife of the victim and his friend Takdir were joined into investigation. Sangeeta produced a pen drive showing that on the evening of 03.08.2024, the victim was going with accused Kuldeep @ Kula. Accused Kuldeep @ Kula and Sandeep were joined into investigation and arrested on 13.08.2024.

3. As per the further allegations, on interrogation, the accused Kuldeep @ Kula and Sandeep suffered disclosure statements to the effect that accused Shishpal @ Pali was nursing a grudge against the victim since in the past, some altercation had taken place between them and at that time,

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accused Kuldeep @ Kula who was a friend of the victim had fired a shot at Shishpal. In June, 2024, accused Shishpal had entered into a conspiracy with Kuldeep @ Kala to kill the victim and in pursuance thereof, Kuldeep @ Kala had taken the victim Vijay along with him to Digana Road on 03.08.2024, wherein the accused Shishpal had also been called, who reached there along with Sandeep, Deep Chaudhary and his two accomplices and after making Kuldeep @ Kala get down from the car, had alighted the victim from the same and made him sit in their Polo car, took him near the canal, strangulated him and then drowned him in the canal water. The car of the victim was left on the Khranti Bridge Area by them along with his mobile phone.

4. Subsequently, accused Shashipal and Sukhwinder were joined into investigation. They suffered disclosure statements admitting their involvement in the crime. Accused Harshit was also arrested during the course of investigation. On completion of investigation, challan was presented against them. As per the case of the prosecution, subsequently, the petitioner and co-accused Sahil were joined into investigation and were arrested. The petitioner disclosed that he along with the co-accused had hatched conspiracy to kill Vijay @ Jadeja. On the evening of 03.08.2024, on receipt of information about whereabouts of Vijay @ Jadeja, they had reached Village Dhigana road, Liwana Khurd where the victim Vijay @ Jadeja was present. He along with accused Deep Chaudhary, Sandeep and Sahil had pointed pistols upon Vijay @ Jadeja and had taken him to canal bridge of Village Gadwali Kheda where accused Sandeep and Deep

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Chaudhary had caught hold of victim Vijay, he along with Sahil had tied his hands and then had thrown him in the canal till he died and then had left. Investigation now stands completed.

5. 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 was not even named by any other accused except accused Sahil. The disclosure statement of co-accused Sahil cannot be considered to be admissible in evidence. He had no motive to kill the victim. He had no hand in any conspiracy to eliminate him. His antecedents are clean. He is in custody for a period of about 01 year and 04 months. No useful purpose would be served by detaining him in custody any more. The co-accused Harshit alias Sonu has been extended benefit of bail. On parity, he deserves to be extended the same benefit. It is, therefore, argued that the petition deserves to be allowed.

6. Status report has been filed. Learned Assistant Advocate General, Haryana assisted by learned counsel for the complainant 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. Therefore, it is urged that the petition does not deserve to be allowed.

7. This Court has heard learned counsel for the parties at considerable length.

8. The petitioner is alleged to have hatched a conspiracy with the co-accused and in pursuance thereof, the victim was taken to canal bridge of Village Gadwali Kheda and had been killed after being drowned. The allegations against him are serious in nature. He was not only a conspirator

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but was also an active participant in the murder of the victim. He along with the co-accused had taken the victim to canal for the purpose of killing him. His complicity in the crime stands prima facie established. The trial is going on and there is nothing to show that there would be any undue delay in conclusion of the same. The bail petition of Kuldeep @ Kula has been dismissed. The case of accused Harshit alias Sonu is not at parity with the case of the present petitioner. It is well settled proposition of law that grant of bail is a discretionary relief to be granted or denied based on specific facts and circumstance of each case and there cannot be any exhaustive parameters set out for considering the application for grant of bail. The factors such as nature of accusations, severity of punishment if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. That apart, reasonable apprehension of tampering with evidence or threatening the material witnesses are also to be weighed. Frivolity of prosecution should always be considered.

9. In light of the foregoing legal principles and other circumstances as discussed above, this Court finds no compelling ground to allow this petition. Accordingly, the petition is dismissed.

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

23.03.2026
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(MANISHA BATRA)
JUDGE