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(205)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1751-2026

Date of Decision: 01.05.2026

SURAJ

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Gurjant Singh, Advocate
for the petitioner.

Mr. Vipul Sherwal, Asstt. A.G., Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 of BNSS, 2023 is for the grant of regular bail in case bearing FIR No.45 dated 09.03.2025 registered under Section 105 of BNS, 2023 at Police Station Kalka, Panchkula.

2. The brief facts of the case are that the present FIR came to be registered at the instance of Meera Verma D/o late Amar Singh and the same reads as under:-

“I Meera Verma daughter of Late Sh. Amar Singh resident of village Koti Sair, Post Office Basantpur, Police Station Sunni, District Shimla, Himachal Pradesh, aged 64 Years Mobile No.9817210622 retired from Health Department Shimla, we are 7 siblings out of which I am the eldest one, my brother Diwakar is doing the work of agriculture, who is married to Shakuntla Devi from whom he has three children out of which



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one boy Lakshya Verma aged 23 Years, one boy Sunny, aged 19 Years and one daughter Mridul aged 20 Years. My brother died in the year 2011 after that my sister- in-law (Bhabhi) Shakuntla started residing at Kalka with his two children Sunny and Mridul, my nephew Lakshya is residing with me at Shimla, from last two years he is residing at Kalka in rented accommodation and doing a private job at Parvanoo. My nephew Lakshya Verma from last 7 months is residing at Kalka with Ankita alias Annu daughter of Sushil resident of village Khalini, Shimla Himachal Pradesh in live-in relationship. Both are engaged with the consent of family and we are planning to get them married as soon as possible. My nephew Lakshya used to consume liquor occasionally and except this he does not take any intoxicant. Today, 09.03.2025, I was at my home, I received the information that my nephew Lakshya was found dead near Gandhi Chowk, Kalka and on receiving the information I alongwith my family members came to Kalka where I and my family members tried to search the reason for the death of my nephew in which we came to know that some person gave intoxicant substance to my nephew due to this reason, my nephew died. I don't know the name and address of that person. Some person intentionally gave intoxicant substance to my nephew Lakshya while knowing that if the same be given to him, he can die and due to said reason, my nephew died. Strict action be taken against those persons who purchased the intoxicant and also against the person who was indulge in selling the intoxicant substance. SD/- Meera, dated 09.03.2025

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Taking the allegations to be

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correct, he along with the deceased had consumed an intoxicating substance and because of an overdose, the deceased Lakshay Verma died. It is not a case where the petitioner has committed the murder of the said deceased. As the petitioner is in custody since 13.03.2025 but only 02 of the 24 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. A status report dated 06.04.2026 by way of an affidavit of Ashish Kumar, HPS, Asstt. Commissioner of Police, Kalka, Panchkula has been filed on behalf of the State by the learned counsel for the State. The same is taken on record. He contends that during the course of investigation, it transpired that the petitioner had intentionally procured the contraband i.e. heroin from co-accused Sunaina and consumed the same along with the deceased Lakshay Verma resulting into his death. After finding the deceased in unconscious condition, he along with the other co-accused persons took the body of the deceased in the Swift Dzire Car and intentionally threw the body on the road. The allegations are grave, therefore, the petitioner is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 13.03.2025 but only 02 of the 24 of the prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is a first-time offender, in custody since 13.03.2025

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but only 02 of the 24 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Suraj S/o Mohan Parshad is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

01.05.2026

JITESH

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