

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM-M-45462-2024  
Date of decision:-11.03.2025

SUNIL SHANI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Vijay Sangwan, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

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**SANJIV BERRY, J. (ORAL)**

Learned State counsel has filed custody certificate dated 10.03.2025, the same is taken on record, copy thereof, has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in the following case (Annexure P-1):-

| FIR No. | Dated      | Sections | Police Station             |
|---------|------------|----------|----------------------------|
| 123     | 13.04.2023 | 302 IPC  | Dharuhera, District Rewari |

3. Arguments heard.

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the present case. He contends that petitioner was not named in the FIR but was nominated during course of investigation. He contends that petitioner is in custody since 14.04.2023, after completion of investigation challan has



already been presented in Court, where in prosecution has cited 19 witnesses and till date only 8 witnesses have been examined, as such, the conclusion of trial will take sufficient long time, hence prayed for grant of regular bail to the petitioner.

5. Per contra, learned State counsel has opposed the bail application by referring to the reply submitted by the State and contends that after the registration of FIR (Annexure P-1), CCTV footage from the vicinity and the details of the mobile numbers written in blood on the stone chair at the place of occurrence were collected and the same were found to be of one Rohit and Anita wife of Sunil Sahni. On analysis of CCTV footage petitioner was nominated as accused and during course of investigation recovery of bed-sheet, bag, shoes of deceased and other articles and the shirt worn by the petitioner at the time of crime were recovered on the basis of his statement. He contends that there is ample evidence against the petitioner of his involvement in the murder of the deceased by strangulating him and smashing his head on the stone chair and thereafter writing the phone numbers of his wife and her paramour on the stone bench with the blood of the deceased to avenge the alleged relationship between his wife and her paramour. He contends that the petitioner is involved in heinous crime, as such, he is not entitled to concession of bail. Hence prayed for dismissal of the bail petition.

5. After considering the rival contentions and perusing the record, it transpires that the instant case was registered on the complaint of one Shriram stating that he works as Gardener in Town Park, Dharuhera and on 13.04.2023 at around 06:00 am when he went to take round of the park he

saw a person lying dead near the stone bench, he had informed the police, and FIR (Annexure P-1) was registered and on the basis of CCTV footage and details from cyber cell regarding mobile numbers written with blood on the stone bench at the spot. Surender Singh and Anita wife of Sunil Shani were joined investigation and on the basis of evidence collected, present petitioner was nominated and arrested on 14.04.2023. On the demarcation of petitioner, recovery of bed-sheet, bag, shoes of deceased, other articles and the shirt worn by the petitioner at the time of crime were recovered.

6. It is evident from the reply submitted by the State that the petitioner is specifically involved in the murder of the deceased by strangulating him and smashing his head on the stone bench and thereafter writing the phone numbers of his wife and her paramour on the stone chair with the blood of the deceased to avenge the alleged relationship between his wife and her paramour. Therefore, considering the nature and gravity of the offence and specific involvement of the petitioner, does not entitle him to concession of regular bail at this stage, as a consequent, the petition is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

**(SANJIV BERRY)**  
**JUDGE**

**11.03.2025**

*Gyan*            i)      Whether speaking/reasoned?      Yes/No  
                      ii)      Whether reportable?                Yes/No