



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CRM-M No.60067-2024 (O&M)
Date of Decision: 30.04.2025**

Birashpal Singh alias Birshpal Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.S. Barnala, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present third petition has been filed under Section 483 read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No. 170 dated 10.07.2020 (P-1), under Sections 120-B, 302, 420, 467, 468, 471, 201 read with Section 34 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Pinjore, District Panchkula.

2. Learned State counsel has produced custody certificate dated 29.04.2025 the petitioner, which is taken on record. Registry to tag the same at appropriate place.

3. In compliance of order dated 25.02.2025, learned counsel for the petitioner has produced a copy of Post Mortem Report dated 12.07.2020 and the same is taken on record as mark 'X'. Registry to tag the same at appropriate place.



4. Allegations are that petitioner alongwith his co-accused hatched a criminal conspiracy and in furtherance of their common intention committed murder of deceased-Pardeep Kumar (husband of *de facto*-complainant-Ranjeet Kaur).

5. Learned counsel for the petitioner contends that initially, case of roadside accident was registered, but later on petitioner alongwith other co-accused were implicated in the present case. Further contends that there is no incriminating material to connect the petitioner with alleged crime, except his own disclosure. Again contends that call detail record (for short 'CDR') of petitioner does not support the prosecution case.

6. *Per contra*, learned State counsel opposed the prayer while submitting that during investigation, two forged Sim Cards alongwith Mobile Phone were recovered from the petitioner and apart that alleged Car, which hit the car of deceased was also recovered at his instance. Vehemently submits that CDR of deceased was found to be connecting the petitioner and present case is an honour killing; hence, his complicity is well apparent.

7. Heard learned counsel for the parties and perused the paper-book.

8. Petitioner was arrested on 21.07.2020 and during interrogation, he revealed that marriage of *de facto*-complainant-Ranjeet Kaur was solemnized with deceased-Pardeep Kumar against the wishes of her father-Sarabjit Singh-co-accused. Also discernible that petitioner alongwith other co-accused conspired to eliminate the deceased and, thus, gave minute details of their planning for committing the alleged crime. There is sufficient material to indicate that on 10.07.2020, the car of deceased was hit by vehicle No.PB-10DE-1892, being driven by Avtar Singh-co-accused; petitioner alongwith co-accused Avtar Singh as well as Suresh Kumar



moved towards the car of deceased and both of them strangulated him with a *parna* (piece of cloth) and in order to portray it as a roadside accident tried to push the car of deceased in a ditch (*khai*), but they failed to do so.

9. Thus, *prima facie*, there is sufficient material in the form of CDR's and upon scrutinizing the call details, mobile No. 9350463045 was also found to have been used by the petitioner at relevant point of time. Apart that, as per post mortem report of the deceased, ligature mark was noticed around his neck and which is opined to be the cause of death.

10. Therefore, keeping in view the allegations and gravity of offence, no case is made out to grant bail pending trial to the petitioner "at this stage".

11. In view of the above, there is no option, except to dismiss the petition.

12. Ordered accordingly.

13. The above observations be not construed as an expression of opinion on merits of the present case in any manner.

Pending application(s), if any, shall also stand disposed off.

30.04.2025

Harish Kumar

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No