



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(230) CRM-M-29493-2025 (O & M)
Date of decision: 04.08.2025

Sufiyan Ahmed @ Sufian Ahmad ... Petitioner

V/s

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Parul Saini, Advocate and
Mr. Tushar Saini, Advocate, for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 483 of the BNSS, 2023 is for the grant of the regular bail to the petitioner in case FIR No.0241 dated 26.09.2021 under Sections 302, 328 IPC registered at Police Station DLF Phase III, Gurugram.

2. The present FIR came to be registered at the instance of Chandmiya and reads as under:-

I, Chandmiya s/o Babir Khan, am resident of S-10/7 Joga Bai Phelwan Chowk Batla House New Delhi. I am B.Com final pass and we are four brothers and sisters. On 22.09.2021, my sister Malka received a phone call from Sufian Ahmad, who is a friend of his elder sister Noshin. My sister is in a relationship with him for the past three years. Sufian called from his mobile 9711299303 on the mobile no. of Malka 8218919071 and told her that her sister had no at consumed insecticide and is admitted in Park Hospital, Dundaheera, Gurugram. The complainant then along with his father went to the hospital. When I talked to Noshin, she told me that Sufian had



administered her poison. And that he also committed rape upon her. Regarding which we are talking to the family of Sufian till today. My sister is not capable to give any statement even today. That I am moving a complaint against Sufian S/o Mahtab Alam R/O Palauli District, Saharanpur and that legal action be taken against him. SD/ Chandmiya.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact, he was in a relationship with the deceased even as per the case of the prosecution. However, lately, there were certain differences between them. In order to scare and threaten him, the deceased consumed insecticide leading to her death. In fact, it was the petitioner who had got her admitted in the hospital and had informed her family members. As he is in custody since 18.11.2022 and only 16 out of 33 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he was entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, has filed a status report dated 02.08.2025 which is taken on record. While referring to the said status report, he contends that it was the petitioner who had handed over the poisonous tablet to the deceased and asked her to consume it which lead to the ingestion of the tablet and the consequential death. Therefore, he was not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 18.11.2022 and that only 16 of the 33 prosecution witnesses have been examined so far.

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



6. A perusal of the MLR (Annexure R-4) would reveal that it was the petitioner who had taken the deceased to the hospital. It would be a moot point during the course of the Trial as to whether the petitioner handed over the tablet to the deceased or she was scaring him and subsequently, ingested it of her own volition. Admittedly, the petitioner is in custody since 18.11.2022 but only 16 of the 33 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, namely, Sufiyan Ahmed @ Sufian Ahmad 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. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.25,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.

09. The petition stands disposed of.

10. The pending application(s), if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

August 04, 2025
sukhpreet

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