



CRM-M-47580-2025

-1-

(235)

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

CRM-M-47580-2025

Date of Decision: 02.09.2025

**OM PARKASH @ PREMI**

... Petitioner

**Versus****STATE OF PUNJAB**

...Respondent

**CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**Present: Mr. Monty Goyal, Advocate  
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

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**JASJIT SINGH BEDI, J.**

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.122 dated 26.08.2024 registered under Sections 105, 3(5) of BNS, 2023 at Police Station Haibowal, District Ludhiana, Punjab.

2. The present FIR came to be registered at the instance of Pushpinder Kaur W/o Karan Kumar and the same reads as under:-

*“Statement of Pushpinder Kaur, wife of the late Karan Kumar, resident of Street No. 5, Samrat Colony, Jassian Road, Ludhiana aged about 28 years old, mobile number is 99146-64114. Stated that I am residing at above said address. I was married a year and a half ago to Karan Kumar, son of Varinder Kumar, according to our customs. My husband was a government employee at the Corporation. On 19.08.2024, I went to my parents' house in Mohalla Shekhpura, Sangrur, with my husband to celebrate Rakhi. Due to the festival, my*



CRM-M-47580-2025

-2-

*husband dropped me off and returned to Ludhiana, while I stayed at my parents' house.*

*In the intervening night of 25-26.08.2024, at around 12:06 AM, I received a call on my phone 99146-64114 from my husband's phone 75290-98345. An unknown person was on the phone, who said that Karan Kumar was lying unconscious at home and wasn't speaking. I immediately informed my father and my family about this. I then called my neighbor, Rachna, daughter of Surinder Singh, who told me that Karan Kumar had turned blue and was not speaking. A short time later, I found out that my husband, Karan Kumar, had passed away and his body was in the mortuary at Civil Hospital, Ludhiana. Upon hearing the news, I, along with my father, Dinesh Kumar, and my brother, Dollar, arrived at the mortuary of Civil Hospital, Ludhiana, and identified my husband, Karan Kumar's, body. After conducting my own inquiry, I found out that my husband, Karan Kumar, had consumed some substance after being repeatedly pressured and coerced by his friends-Ravi Sharma alias Ravi Pandit, Om Prakash alias Premi, and Arjun. This substance led to my husband's death. The death of my husband, Karan Kumar, was caused by a substance given to him by Ravi Sharma alias Ravi Pandit, Om Prakash alias Premi, and Arjun. I request that the strictest legal action be taken against Ravi Sharma alias Ravi Pandit, Om Prakash alias Premi, and Arjun. I have scribed my statement in the presence of my father, Dinesh Kumar. I have read and heard it, and it is correct. Statement By: Sd/- Pushpinder Kaur.”*

3. The learned counsel for the petitioner contends that the allegations that at the instance of the petitioner and his co-accused, the



**CRM-M-47580-2025**

-3-

deceased Karan Kumar consumed intoxicant substance cannot be believed. In fact, he consumed some poisonous substance on account of a matrimonial dispute with his wife. As the petitioner is a first-time offender, in custody since 27.08.2024 but none of the 11 prosecution witnesses has 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. On the other hand, the learned State counsel contends that CCTV footage would establish the presence of the petitioner and his co-accused at the residence of the deceased. Therefore, the *prima facie* culpability of the petitioner stands established and he is not entitled to the concession of bail. He, however, concedes that the petitioner is a first-time offender, in custody since 27.08.2024 but none of the 11 prosecution witnesses has 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 27.08.2024 but none of the 11 prosecution witnesses has 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 petitioner-Om Parkash @ Premi S/o Bhagwati Parshad is ordered to be released on bail subject to his furnishing bail bonds

2025:PHHC:118522



**CRM-M-47580-2025**

-4-

and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

**(JASJIT SINGH BEDI)**  
**JUDGE**

**02.09.2025**

JITESH

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

**Whether reportable:- Yes/No**