



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-22453-2025

Reserved on: 24th July, 2025

Pronounced on: 31st July, 2025

Anil Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Jagjeet Beniwal, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 894 dated 17.12.2023 registered under Section 302 of IPC at Police Station Kundli, District Sonapat.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by Rohit, resident of village Kundli, alleging that the petitioner, who had been living with the victim Pooja in a room owned by one Pratap Singh of his village and had been working in a factory, used to quarrel with each other. He informed that the petitioner had killed Pooja by strangulating her with a *dupatta* and her dead body was lying in the room. On receipt of this complaint, a police party reached the spot and found the victim to be lying dead. A case under Section 302 of IPC was registered.



Investigation proceedings were initiated. Post-mortem examination of the dead body was conducted. The petitioner, who was living with the victim in live-in relationship, was apprehended on 17.12.2023 itself. He was interrogated and made a disclosure statement to the effect that he had been living in a live-in relationship with the victim but was suspecting her fidelity and had been advising the victim to stop maintaining relations with other persons, but she did not listen to him. An argument had taken place between them in the morning of 17.12.2023 and he had put *dupatta* of the victim around her neck and strangulated her. Investigation now stands completed and the petitioner is facing trial for commission of the offences of murder of the victim.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is no eyewitness to the murder of the victim. The material witnesses namely the complainant, husband and mother of the victim have not supported the prosecution version and have not implicated him in commission of subject offences. The case is based upon circumstantial evidence and no circumstance has been collected to connect him with the subject offences. Trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. It is, therefore, argued that the petition deserves to be allowed.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Haryana, that the witnesses who have not supported the prosecution version were not eyewitnesses to the occurrence. There is ample circumstantial and scientific evidence on record to connect the petitioner with the murder of the victim. Therefore, it is argued that he does not



deserve to be released on bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have committed the murder of the victim Pooja with whom he had been living in a live-in relationship in a room owned by one Pratap Singh. The complainant has not supported the prosecution version. However, he was not an eyewitness to the occurrence. The petitioner has also placed on record copies of statements of certain other witnesses i.e. the mother and husband of the victim and of PW-6 Pratap Singh, landlord of the house in which the victim and the petitioner had been residing and neither of them has connected the petitioner with the offence of murder of the victim. However, neither of these witnesses was an eyewitness to the occurrence. The allegations against the petitioner are serious in nature. Scientific evidence is being collected. The dead body of the victim was recovered from the same room wherein the petitioner had been residing with her, and as such, the petitioner is presumed to be having knowledge about the fact and circumstance in which the victim had died homicidal death. There is nothing on record at this stage to show that the petitioner has been able to discharge that burden. Keeping in view the gravity of the allegations, as levelled against the petitioner, quantum of sentence which the conviction may entail and the attendant facts and circumstances, but without meaning to make any comment upon the merits of the case, I am of the considered opinion that the petitioner does not deserve to be allowed at this stage. Accordingly, the same is dismissed.

7. Since the main petition has been dismissed, pending



application, if any, is rendered infructuous.

**[MANISHA BATRA]
JUDGE**

31st July, 2025

Parveen Sharma

- 1. Whether speaking/ reasoned*
- 2. Whether reportable*

: *Yes / No*
: *Yes / No*