



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

216

CRM-M-57501-2024

Date of decision: August 19th, 2025

Krishan Singh @ Kishan Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kanwar Abhay Singh and Mr. Govind Rana, Advocates
for the petitioner.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in
FIR No.214 dated 13.06.2024 under Section 302 of the IPC registered at
Police Station Bilaspur, Distirct Gurugram.

2. Learned counsel for the petitioner submits that although it
is a case based on eyewitness account; the petitioner has not been
named in the FIR nor has any allegation been leveled against him much
less of being present along with co-accused/prime accused Pradeep,
who allegedly inflicted fatal injuries with a pair of scissors upon the
deceased. Learned counsel submits that just because the petitioner
happens to be the father of the prime accused, he has been dragged into
the present case for reasons but obvious. Learned counsel has still
further argued that after he was arrested on 22.08.2024, not only have
charges been framed but even two witnesses out of the 24 cited by the
prosecution have been examined so far. Hence, in the circumstances,

further incarceration of the petitioner would serve no useful purpose more so when there is no likelihood of the trial concluding in the near future.

3. On a pointed query, learned counsel for the petitioner submits the petitioner has clean antecedents.

4. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner nor has he disputed that the petitioner was neither present with prime accused Pradeep, nor has any other overt act been attributed to him in the crime in question. However, learned State counsel, on instructions from ASI Ramesh, submits that it came during investigation that it was the petitioner who had instigated his son i.e. prime accused Pradeep to carry out the crime in question. In addition, the learned State counsel has reiterated the following allegations levelled in the FIR (Annexure P-1):

“To, The SHO Sahib, Police Station Bilaspur, Gurgaon, Sir, It is requested that I am Aman Kumar son of Motilal, resident of village Utwara, Police Station Khair, District Aligarh U.P., presently tenant of Ashok Pradhan. Main Bazaar Bahoda Kalan. We are four brothers, my elder brother's name is Kapil, age 23 years and younger brother's name is Achal. age 21 years and after him I am 19% years old and after that Govind is 17 years old. Kapil and Achal do picking work in Amajaan Bilaspur and I work in Bharat Cloth House Bhauda Kalan, my father used to work in Bharat Trailer & Drapers' workshop Lakhuwali Dhani, on 12/06/2024, due to excessive work at night, my father stayed in the workshop and we all were in our room. At around 11.30 pm on 12.06.2024, Gulzar told me that Pradeep had a fight with your father, so I and my brother Kapil immediately reached the workshop, the door of the Tailor and Drapers workshop was locked from inside, so I kicked the door, the door broke and I saw that Pradeep son of Kishan Singh, resident of village

Utawara, police station Khair, district Aligarh, UP, currently tenant of Mahesh Pradhan, Main Bazaar Bahoda Kala Gurgaon was sitting on the chest of my father Motilal and was saying why did you abuse me, I will not leave you, I pushed Pradeep away, then he ran to hit me too and he threw the scissors right there, his showroom owner Pintu Saini came and then the police also reached and after some time the ambulance also reached and we put my father Motilal in the ambulance and brought him to Aastha Hospital Bilaspur Chowk, where the doctor Sahab, seeing the serious condition of my father, said that he should be immediately admitted. GH SEC-10 (Government Hospital) Gurugram and take him there, we immediately took my father to G.H Sector 10 with the police, the doctor declared my father dead, after that we got my father's body kept in the mortuary. Pradeep, the above mentioned person had abused my father Motilal a few days back, holding the grudge for the abuse, he killed my father Motilal by stabbing him with scissors, strict action may be taken against Pradeep.”

5. Still further, it has been submitted that although the charges stand framed, however none of the eyewitnesses have been examined till date and in case the petitioner is enlarged on bail, there is every likelihood that he could intimidate the eyewitnesses.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. The petitioner has been in custody since 22.08.2024. As not disputed by the learned State counsel, the petitioner has not been attributed any injury much less fatal on the person of the deceased; the only role attributed to the petitioner is of having instigated the prime accused to carry out the murder of the deceased. The opposition made by the learned State counsel for granting the concession of bail to the petitioner on the ground that he may intimidate or influence the

witnesses to depose in his favor deserves to be rejected at this stage in view of the role attributed to the petitioner in the FIR in question.

8. In the facts and circumstances as enumerated hereinabove, without commenting on the merits of the case, the instant petition is allowed. The petitioner be admitted to bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

August 19th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No