



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-46033-2025 (O&M)

Date of decision: 27.08.2025

Manisha

...Petitioner

VERSUS

State of Haryana

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Sushil Sheoran, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in FIR bearing No.43 dated 12.02.2022, registered under Section 302 (201/34 added later on) of the Indian Penal Code, 1860 at Police Station Badhra, District Charkhi Dadri.

2. Briefly summarizing, the case of the prosecution is that FIR was registered on the statement of one Om Parkash son of Chander Bhan i.e. brother of the deceased, who was serving in Army. It has been averred that his deceased brother had come to the village on leave and was to report back on duty, however, on 03.02.2022, after dinner, all of them went to sleep. He however felt dizziness in the morning and subsequently, he was taken to the General Hospital, Dadri where the Doctors declared him brought dead. The initial suspicion was of a cardiac arrest, however, it was later diagnosed that



he had died as a result of asphyxia on account of smothering. The viscera was preserved for histopathological evaluation and toxicology analysis. On receipt of the said report, the instant FIR had been registered against the petitioner. He contends that the petitioner has been in custody since 18.02.2022 and has undergone an actual custody of more than 03 years 06 months. He submits that only 09 out of the total 22 prosecution witnesses have been examined and that all material witnesses stand examined.

3. Learned counsel for respondent-State, on the other hand, contends that the petitioner was involved with her paramour in strangulation of the deceased by smothering him. She however is not in position to dispute that the petitioner has undergone an actual custody of more than 03 years 06 months and that the material already stands examined.

4. Having heard the learned counsel for the parties and taking into consideration the period of actual custody being more than 03 years and 06 months, the state of the trial wherein only 09 out of the total 22 prosecution witnesses have been examined so far and that the conclusion of the trial is likely to take long time, I deem it fit to allow the instant petition.

5. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

6. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.



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7. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

27.08.2025

Mangal Singh

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