



CRM-M-43837-2025 (O&amp;M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-43837-2025 (O&amp;M)

Date of Decision: 12.08.2025

Vishal @ Happy Kad

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amardeep Singh Maan, Advocate  
for the petitioner.

Mr. Akshay Kumar, A.A.G., Punjab.

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**ANOOP CHITKARA, J.****CRM-31450-2025**

Allowed as prayed for.

**Main case**

FIR No.	Dated	Police Station	Sections
110	26.10.2017	Cantt Ferozepur, District Ferozepur	365, 506, 120-B IPC

1. The petitioner, who was earlier proclaimed offender, apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. Per paragraph 18 of the bail application, petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	0019	11.02.2019	324, 323, 34 IPC (Section 326, 325 IPC added later on)	Cantt Ferozepur
2.	27	22.04.2017	365, 506, 34 IPC	-

3. The facts and allegations are being taken from the translated version of FIR, which reads as follows:

*“To, SSP Ferozepur, Subject: Application for taking action by Crime Branch and for registering of FIR for murder of Rattna @ Tenu son of Shani Kumar, resident of Club View Hotel, Ward No7, Ferozepur Cantt against:- 1. Vishal @ Happy Kad son of Satpal Kad resident of 134, Ahata Club View Hotel, Bhagat Singh Road, Ferozepur Cantt, 2.*



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*Kuldeep Singh son of Unknown (Driver of Vishal@ Happy Kad) resident of New Abadi, Milk Dairy, Ferozpur Cantt. Respected Sir, it is stated that 1, Mohinder Kumar Dippi aged 46 years son of Shani Kumar son of Babu Lal, is resident of Club view Hotel, Ward No 7, Ferozpur Cantt and work as Cleaner in Station Headquarter and belong to Balmiki Caste. I have three sister namely Pushpa, Ranjeeta, Ratna @ Tinu and one brother Gulshan. Pushpa, Ranjeet and Gulshan are married and independently living in their houses. Ratna @ Tinu is younger to all. Tinu left school as she is not in studies and live in house. Vishal @ Happy Kad house is near to my house. At the age of 14 years, Tinu start working as maid along with my mother in the house of Vishal @ Happy Kad and cook food. My father expired in year 2000 and my mother Tareja expired in year 2010. 2. That accused Vishal@ Happy Kad has keep bad eyes on Ratna @ Tinu and despite of the fact he is married, he made forcible physical relations with Ratna and I came to know about this after the death of my mother in September 2010. Then, I along with my brother and other relatives complain about this to wife of accused and relatives but to no effect. As no action has been taken against accused, as which boost his confidence and despite of fact that he is married, as to show-off, he performs run away marriage with Ratna@ Tinu. As marriage was performed without our consent and family respect has been affected, we severe our relations with her. Accused freely visit to market with Rains and Kuldeep, who was driver of Happy Vishal Kad at that time come and go with her. Residents of Club View Hotel has seen Ratna work in house of Vishal Happy Kad and visit in market. In the year 2012. Ratna came to my house at Rakhi and while crying she told me about personal happening that accused has kept her in order to fulfil her sexual pleasure as concubine and behave like animals and beat mercilessly. Due to Rakhi festival, me and my family members accept Ratna. I along with Ashwani Kumar Vicky son of Ram Chander resident of Clubi View Hotel, Ferozpur Cantt and neighbors went to house of accused Vishal Happy Kad and he said, he has done what he want to do and I will not let happen anything of yours and will take Ratna. In November 2012, accused took Ratna from house during my absence and after that I never meet my sister and never seen her. 3. That in the year 2012, I, have submit application but to no effect as accused is senior member in Akali Dal and at that time, Government of Akali Dal was there and he did not let any action to be taken on representation and gave threat that I got killed my mother-in-law and father-in-law and till date police can't take any action against me and you also can't take any action against me and gave threat if you came on way, then you will also be killed. I am handicap Government employee and considering life of my children, sit silently. 4. That in year 2014, wife of accused has contested election of Cantonment Board and during election, I tried to raise issue regarding the atrocities against him, then accused and his wife came to our house and told that Ratna lives in Chandigarh and after election, they will let us meet Ratna. On the hope of meeting Ratna, me and my family members become silent but after winning the election, accused and her wife did not done justice to us and accused become more powerful and openly by showing revolver gave life threat to us. From March 2015 to March 2017, in order not to raise issue of Ratna, accused by showing deadly weapons, create pressure on all brother, sisters and family members and all family members come under his pressure. In April 2017, from the secret sources, I came to know that Vishal bas killed her sister and in this, Kuldeep is equally responsible but I have hope*



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*that my sister is alive. In view of this. for committing murder of my sister Ratna, legal action to be taken against them and if my sister is alive, then she be taken from the custody of accused and save me, my family and relatives live from accused. III be thankful towards you. SD/-Mohinder Kumar applicant”*

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail on instructions.

6. Counsel for the petitioner has handed over copy of order dated 11.08.2025 passed by a Co-ordinate Bench of this Court in which proclamation proceedings have been quashed and set aside. While granting the relief, the Co-ordinate Bench had also given directions to the concerned Court to admit the petitioner on bail. The relevant portion of order is extracted below:

*“In case, the petitioner appears and surrenders before the Court concerned within a period of 10 days from today and files an application for bail alongwith receipt of abovesaid costs, the Court concerned is directed to admit him to bail subject to its satisfaction and proceed with the trial in accordance with law. He will have protection from arrest for a period of 10 days from today.”*

7. Given above, no separate order is required to be passed. Needless to say that the trial Court shall abide by the order passed by the Co-ordinate Bench of this Court.

8. Petitioner is directed to appear on or before 21.08.2025. This order shall eclipse on 22.08.2025.

9. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

12.08.2025  
Jyoti Sharma

Whether speaking/reasoned: Yes  
Whether reportable: No.