



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

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**CRM-M-1822-2025 (O&M)
Date of decision: 23.07.2025**

Sandeep Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Arpandeeep Narula, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Akashdeep Singh, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this 2nd petition filed under Section 483 of the BNSS, 2023, is for grant of regular bail to the petitioner in FIR No.42 dated 03.02.2023 registered under Sections 302, 201, 120-B and 34 IPC at Police Station Meham, District Rohtak. The 1st petition filed by the petitioner, seeking the same relief, was dismissed as withdrawn on 04.09.2024.

2. As per the prosecution case, the FIR (supra) has been registered on the complaint made by Dilbag son of Mohan Lal with the allegations that on 26.01.2023, his elder brother Karambir was murdered by his daughters Priyanka and Preeti as well as Sandeep, by strangulating him and wife of Karambir also participated in the alleged conspiracy as she and her daughter Priyanka were having illicit relation



with Sandeep and Karambir was objecting about visitation of Sandeep at his house.

3. Learned counsel for the petitioner inter alia contends that the FIR (supra) was registered after a delay of six days. Admittedly, the alleged incident had taken place on 26.01.2023, however, the FIR (supra) was registered on 01.02.2023 on the complaint made by the brother of the deceased. He submits that the FIR (supra) has been registered against all the legal heirs in order to deprive them of their right of inheritance in the property owned by the deceased. Further, submits that the perusal of the FIR (supra) indicates that the murder of the deceased was committed by the petitioner along with his two daughters namely Priyanka and Preeti. Further, the motive as indicated in the FIR (supra) is too far-fetched and implausible. It has been alleged that the wife and daughter of the deceased, both are having illicit relationship with the present petitioner. Further submits that initially the younger daughter of the deceased Preeti was also named as an accused in the FIR (supra), however, later on she became a prosecution witness and her statement under Section 164 of Cr.P.C. was recorded by the jurisdictional Court in which she has improved the prosecution version further and submitted that the petitioner has strangled the deceased and her elder sister Priyanka had caught hold the feet of her father. Further submits that the younger daughter of the deceased Preeti has been examined as PW-2 and she has not supported the case of the prosecution and she was declared hostile by learned Public Prosecutor.



As such, there is no direct evidence to prove the complicity of the petitioner. Further, there is no evidence either forensic or otherwise to prove the fact that the petitioner has participated in the alleged offence. Curiously the wife of the deceased has made an initial statement in which she has stated that the deceased had died due to vomiting of excessive blood.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant vehemently opposes the submissions made by learned counsel for the petitioner.

5. Learned counsel for the complainant submitted that the petitioner was seen coming out of the house of the deceased on the fateful day at the relevant time and the last seen witness has already deposed against the petitioner. Admittedly, the death of the deceased had taken place in the house and the presence of the petitioner is duly established. Further, it is incumbent upon the wife of the deceased and others accused to explain the unnatural death of the deceased. The complicity of the petitioner is duly established from the call detail record which proves that the petitioner was constantly in touch with the accused Priyanka immediately before and after the alleged occurrence. Further, the post-mortem report reveals that the deceased had died due to homicidal death and injury No.3 has been caused by strangulation and there is specific medical opinion with regard to the same. The case initially set up by the co-accused Laxmi was proved to be a case of cover-up and the active participation of the petitioner is duly established



and he along with other co-accused has committed the murder of the deceased in a predetermined manner.

6. Having heard learned counsel for the parties, without commenting upon the merits of the case, this Court finds no force in the arguments raised by learned counsel for the petitioner, in view of the peculiar facts and circumstances of the case. The material available on record, including the post-mortem report indicating homicidal death of deceased by strangulation, the petitioner's presence at the spot and the supporting call detail records, *prima facie* point towards the active involvement of the petitioner in the alleged offence. Accordingly, in light of the gravity of the offence, the nature of evidence and the stage of trial, no case is made out to grant the concession of regular bail to the petitioner.

7. Dismissed.

8. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

(HARPREET SINGH BRAR)
JUDGE

23.07.2025
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No