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

**CRM-M No.11619 of 2025  
Date of decision : 10.09.2025**

**Lovekush**

**.....Petitioner**

**versus**

**State of Haryana**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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Present :- Mr. Rishi Pal Chaudhary, Advocate and  
Mr. Parveen Kumar, Advocate  
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana with  
Ms. Diya Sodhi, Sr. DAG, Haryana.

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**RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.387, dated 15.08.2023, under Sections 302, 34 of IPC (Section 201 IPC added later on), registered at Police Station Kurukshetra University, District Kurukshetra.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Jarnail Singh. It was alleged that the complainant had two sons, namely, Rajan and Raman. Rajan, who was of the age of 21 years, was elder and studying in 10<sup>th</sup> standard. It was alleged that on 12.08.2023, at about 6:00 P.M., his son Rajan had gone out of the house, however he did not return, they made best



efforts to search the son of complainant. However on 14.08.2023, at about 7:30 A.M., he received the information that one dead body was lying in the Bhakra Canal. On reaching there, the complainant identified the dead body of his son. It was alleged that some unknown persons had murdered his son and thrown in the Bhakra Canal. Thus the request was made to take legal action against the culprits. On registration of the FIR, the investigation commenced. During the investigation, on 20.08.2023, the supplementary statement of the complainant was recorded, wherein the petitioner along with the co-accused was named as an accused and thus he was arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 21.08.2023. On the completion of investigation, the challan was presented and on framing the charge, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Kurukshetra praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Kurukshetra declined the bail application filed by the petitioner vide order dated 09.01.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the case of prosecution is based on circumstantial evidences and the petitioner has been implicated in this case on the basis of presumptions and assumptions. He has submitted that except the disclosure statement of the co-accused and some planted recoveries, there is no evidence available against the petitioner. He has submitted that the



petitioner has no criminal antecedents and he is behind bars from last more than 02 years. He has submitted that the material witnesses already stand examined and thus, in the facts and circumstances, the petitioner deserves to be granted bail.

4. Status report dated 29.04.2025 by way of an affidavit of Sunil Kumar, HPS, DSP, HQ, Kurukshetra on behalf of the respondent-State has already been filed by the learned State counsel in the Court, which is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

5. *Per contra*, learned counsel for the State however has vehemently opposed the submissions made by learned counsel for the petitioner. She has submitted that during the investigation, CCTV footage of the date of occurrence was recovered in which the petitioner along with the co-accused was seen going with the deceased. She has submitted that thereafter the deceased was not found and his dead body was recovered. She has submitted that on the disclosure statement of the petitioner, the Ice breaker (*Sua*) was recovered. She has submitted that the petitioner had caused stab injuries to the deceased, which resulted in his death. She, on instructions, has submitted that out of 21 prosecution witnesses, 13 witnesses have been examined. She has produced custody certificate of the petitioner today in the Court and the same is taken on record.

6. Heard.

7. After hearing learned counsel for the parties and perusing the record, it is inferred that the case of prosecution is based on the circumstantial evidences. The evidence against the petitioner, as submitted



before this Court, is the last seen evidence, i.e. the CCTV footage and the recovery of Ice breaker. Out of 21 prosecution witnesses, 13 witnesses have been examined which includes the complainant, i.e. father of deceased. Custody certificate produced would show that the petitioner has completed an incarceration of 02 years and 15 days as on 09.09.2025. Custody Certificate further shows that the petitioner is not involved in any other case. As submitted before this Court, the challan is presented and charges have been framed.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeed in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

10.09.2025

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Whether speaking/reasoned  
Whether reportable

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:

Yes/No  
Yes/No

**(RAJESH BHARDWAJ)**  
**JUDGE**