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

**CRM-M No.58767 of 2024  
Date of Decision: 13.05.2025**

**Ram Prakash @ Jaggi**

**..... Petitioner**

**Versus**

**State of Haryana**

**..... Respondent**

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

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Present: Mr. Sushil Jain, Advocate  
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

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

1. Present third petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.16, dated 26.02.2022 (Annexure P-1), under Sections 302, 34 of IPC, 1860 (offence under Sections 120-B and 201 IPC added later on), registered at Police Station Bahalgarh, District Sonipat.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Anita wife of Rajender. The complainant is none other than the wife of deceased, Rajender. It was alleged that the dispute regarding the land of her family, which was going on with Sanjay, Manoj, sons of Ram Chander and regarding the same, the litigation is also pending. Due to this, Sanjay and Manoj had the grudge against them. Sanjay and Manoj,



sons of Ram Chander, Ram Parkash @ Jaggi (petitioner) had given the beatings number of times to her husband, namely, Rajender (deceased). Time and again, they threatened her husband to eliminate him. On 25.02.2022 at about 10:00 P.M., Ram Parkash @ Jaggi came to their house and took her husband with him. On the next day, i.e. on 26.02.2022, she received the information that dead body of her husband, Rajender was lying in the Peerwala Path near the fields of Krishan. She along with the family members reached the spot and found the dead body of her husband inflicted with sharp edged injuries on the neck. It was alleged that Ram Parkash (petitioner), Sanjay, Manoj and Kapil, due to the land dispute, they committed the murder of her husband and hence, legal action be taken against all of them. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner also surfaced and thus, he was arrested on 30.03.2022. The petitioner approached the Court of learned Additional Sessions Judge, Sonapat praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Sonapat declined the petition filed by the petitioner vide order dated 03.10.2024. Being aggrieved, the petitioner had earlier approached this Court twice by way of filing CRM-M-48238-2023 and CRM-M-13759-2024 praying for the grant of bail, however both the petitions were allowed to be dismissed as withdrawn by this Court vide orders dated 30.11.2023 and 03.09.2024 respectively. Hence being aggrieved, the petitioner is again before this Court by way of filing the present third petition praying for the grant of regular bail.



3. Learned counsel for the petitioner has vehemently contended that the petitioner has been implicated in the present case on the basis of presumptions and assumptions. He has submitted that the case of prosecution is totally based on the circumstantial evidence and there is no credible evidence with the prosecution to connect the petitioner with the alleged offence. He has submitted that during the investigation, the disclosure of the co-accused, Monty @ Kanwa was recorded on 04.03.2022 and there was no whisper regarding the involvement of the petitioner in his disclosure statement. He has submitted that the complainant, who is none other than the wife of deceased, was examined before the learned trial Court as PW-6 and except saying that the petitioner had taken her husband on 25.02.2022, there is no allegation made against the petitioner. He has submitted that it is the specific allegation of the complainant that the petitioner was inimical to the family and thus there was no reason that the deceased could have gone with the petitioner as alleged by the complainant. He has submitted that there is no corroborating evidence collected by the prosecution against the petitioner and thus implication of the petitioner is writ large. He has submitted that similarly situated co-accused, namely, Sanjay and Mahesh have already been enlarged on bail by this Court vide separate order dated 26.07.2023 passed in CRM-M No.32057 of 2022 and CRM-M No.40116 of 2022, who were also specifically named by the complainant in the FIR. He has submitted that the petitioner is behind bars from last more than 03 years, however there is no substantial progress in the trial, the petitioner deserves to be granted bail.



4. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by counsel for the petitioner. He, on instructions, has submitted that the land dispute was already going on between the deceased and the accused side. He has submitted that it was the petitioner, who had taken the deceased from his home on 25.02.2022 and on the very next day, his dead body was found. He has submitted that the complainant has duly supported the same while she was examined by the prosecution as PW-6. He has submitted that the petitioner had a strong motive and he was the last seen person in the company of the deceased, thus the petitioner is being rightly prosecuted. He has placed on record custody certificate of the petitioner today in the Court and the same is taken on record. He has submitted that the petitioner is a habitual offender, who has already been convicted in one more murder case and sentenced for life.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is apparent that the case of prosecution is primarily based on circumstantial evidence. The petitioner was alleged to be the last seen person in the company of deceased when he was taken from his home. Co-accused, Sanjay and Mahesh have already been enlarged on bail by this Court vide order dated 26.07.2023. Custody certificate of the petitioner would show that the petitioner has suffered incarceration of 03 years, 01 month and 14 days as on 12.05.2025. Though the petitioner has been convicted in one more case under Section 302 IPC, however his sentence has already been suspended by Hon'ble the Division Bench of this Court vide order dated 12.08.2021 passed in CRM-22083-2021 in



CRA-S-508-DB-2018. The rival contentions raised by the parties before this Court would be assessed by the trial Court on weighing the evidences led by both the sides and hence in the facts and circumstances, this Court is of the opinion that the petitioner deserves to be granted bail.

7. 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.

8. 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 succeeds 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.

**13.05.2025**

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**(RAJESH BHARDWAJ)  
JUDGE**

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