

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

325

CRM-M-47432-2024

Date of decision : 8th May, 2025

Khushbu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ram Bhati, Advocate for the petitioner.

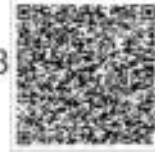
Ms. Sheenu Sura, Deputy Advocate General, Haryana.

Mr. Veneet Sharma, Advocate for the complainant.

MANISHA BATRA, J :-

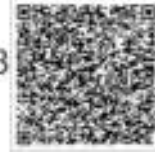
The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 251 dated 09.04.2024 registered under Sections 302 read with Section 34 of IPC at Police Station City Ballabgarh, District Faridabad.

2. Adumbrated facts as emanating from the record are that on 09.04.2024, on receipt of an information regarding murder of one Rakesh Choudhary and his dead body lying on the floor of his room, a police party rushed there, where the complainant Mukesh Choudhary, brother of the victim, submitted a written complaint alleging that though they were native of Bihar but the victim along with his wife and children had been living in a



rented accommodation. The complainant had also been living in the same city. About some time back, the complainant had told him that his wife Khusbhu i.e. the present petitioner was having illicit relations with accused-Ranjit, who was living with them in the same premises. He had also disclosed that he had tried to make the petitioner and Ranjit understand, but they were not paying any attention. He alleged that on the same day at about 7:00 AM, on receipt of a phone call from accused Ranjit, he had gone to room of his brother and found the dead body of victim lying there. By alleging that the victim had been killed by the petitioner and accused Ranjit, he prayed for taking action in the matter. On his complaint, the aforementioned FIR was registered. Investigation proceedings were initiated. Post-mortem examination of dead body was conducted. The co-accused Ranjit was arrested on 10.04.2024. He was interrogated and suffered disclosure statement admitting his involvement in the murder of the victim by conniving with the petitioner and as per the plan already hatched by them. The petitioner was arrested on 11.04.2024. She too suffered disclosure statement and admitted her involvement in the crime. Investigation has been completed and the petitioner along with the co-accused is facing trial for commission of aforementioned offence.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. There is no eye-witness to the factum of murder of the victim. The case rests upon circumstantial evidence and there is no circumstance connecting her with the crime. False recovery has been planted upon her. Infact, the victim was addicted to liquor and was suffering

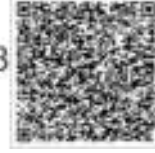


from several ailments. He had sustained injuries by someone else when he was in a state of intoxication and when he reached back home on the fateful night, he was already badly injured. She has three minor children and there is none to look after them. Trial will take considerable time to conclude. She has clean antecedents. Her further incarceration would not serve any useful purpose. With these broad submissions, it is urged that the petitioner deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Deputy Advocate General, Haryana, that there are serious and specific allegations against the petitioner and therefore, she does not deserve to be given benefit of bail. Accordingly, it is stressed that the petition does not deserve to be allowed.

5. Rival contentions raised by learned counsel for the parties have been considered.

6. The petitioner in furtherance of his common intention with the co-accused, is alleged to have caused homicidal death of the victim on the intervening night of 08/09.04.2024. Marks of strangulation were found on the dead body. There is no eye-witness to the occurrence. However, the dead body was recovered from the house/room of the victim as well as petitioner, wherein the co-accused had also been residing. An obligation has been cast upon the petitioner to justify the circumstances in which the death has taken place but no such explanation has been given at this stage. There are serious allegations against the petitioner. Trial has commenced and there is nothing on record to show that there would be any undue delay in conclusion of the



same. Taking into consideration, the above discussed facts but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

8th May, 2025

Parveen Sharma

1. Whether speaking/ reasoned

: *Yes / No*

2. Whether reportable

: *Yes / No*