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(214)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51941-2025

Date of Decision: 19.09.2025

NAVEEN

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sanjay Verma, Advocate with
Mr. Arvind Kumar Dhiman, Advocate
for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.111 dated 14.03.2022 (Annexure P-1) registered under Sections 302, 201, 404 & 34 IPC Sections 61-4-2020 of the Excise Act, at Police Station NIT Faridabad, District Faridabad.

2. The present FIR came to be registered at the instance of Mukesh Kumar S/o Late Sh. Dharampal and the same reads as under:-

“To, SHO Sahab, Police Station NIT 5 FBD. Respected Sir, it is prayed that I, Mukesh Kumar S/o late Sh. Dharampal, caste Sunar, am resident of 389/C SGM Nagar, Street No.5. And work in 27/19. My son Deepak aged 25 years, who use to take drugs, who use to have acquaintance with Naveen son of Ashok Gujjar r/o Ankir at present Street No. 3 and use to do drugs with them. I many times make him understand but did

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not mend his ways. Yesterday in the evening at 6.00 O' clock Deepak went outside from the house by saying that will come after meeting my friends. Today in the morning, I received information that my son Deepak has been found in dead condition on the terrace above the house of Ashok Street No. 3. On this information, myself by taking along my younger brother Dharmender reached at the house of Ashok in Street No. 3 SGM Nagar, where I saw many persons standing there, by going upstairs I identified my son Deepak. Who was lying dead on the Diwan (Single bed) in the room. Has been hit below the knee of left leg. And on the waist there were marks of dandas. I have full suspicion that Naveen and his brother Nitin son of `Ashok resident of Ankheer at present Street NO. 3, SGM Nagar have consumed liquor together with my son Deepak and they have caused injuries by entering into fight. Due to which he has died. Kindly take legal action against them. So, that I can get justice in future. sd/- Mukesh Verma.”

3. The investigation was set in motion. Statements of witnesses were recorded. Scene of Crime Team was called and the physical evidence was collected. Postmortem of deceased Deepak was got conducted by the Board of Doctors at Civil Hospital, Faridabad, revealed that cause of death was shock and haemorrhage due to multiple injuries as mentioned in PMR and was sufficient to cause death in ordinary course of nature.

4. The investigation was assigned to Crime Branch, DLF, Faridabad. The petitioner was joined in the investigation and arrested on 17.03.2022. He suffered his disclosure statement and confessed his guilt. He also got recovered the mobile phone of the deceased pursuant to his disclosure statement. He also disclosed the name of the other accused,



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namely, Farukh, Javed and Manjeet, who were arrested from time to time. After completion of investigation, final report under Section 173 CrPC was submitted in the Court against the petitioner and other co-accused.

5. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. All the material witnesses stand examined. In fact, the petitioner was not present at the time of the occurrence and no specific role or injury has been attributed to him. As the petitioner is in custody since 17.03.2022 but only 11 of the 26 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

6. On the other hand, the learned State counsel contends that the case is based on circumstantial evidence. The dead body of the deceased Deepak was recovered from the room in the house of the petitioner and the said room was found locked. The dead body was retrieved after breaking open the lock of that room. The mobile phone of the deceased was recovered from the petitioner. Further, he has criminal antecedents with four other cases registered against him arising out of FIR No.57/2021 U/s 3(15A), 61-1-14 Excise Act, P.S. NIT Faridabad, Faridabad, FIR No.31/2019 dated 26.01.2019 U/s 61-1-14 of Excise Act, P.S. NIT Faridabad, Faridabad, FIR No.105/2018 dated 24.02.2018 U/s 147, 149, 323, 325, 341 and 506 IPC P.S. SGM Nagar, Faridabad and FIR No.98/2017 U/s 323, 506 and 34 IPC P.S. NIT Faridabad, Faridabad. Even otherwise, the instant petition is the 4th one behalf of the petitioner. His bail petition came to be argued at length and

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dismissed on merits on 12.02.2024 passed in CRM-M-61090-2023. His last bail petition was argued at length and withdrawn as recently as on 29.08.2025. No change in circumstances have been pointed for filing of the instant 4th petition. Therefore, he is not entitled to the concession of bail.

7. I have heard the learned counsel for the parties.

8. Admittedly, the case is based on circumstantial evidence. However, the mobile phone of the deceased has been recovered from the petitioner. The dead body of the deceased was found from a locked room in the house of the petitioner. The nature of the allegations levelled against the petitioner do not entitle him to the concession of bail. Even otherwise, he has criminal antecedents with four other cases registered against him.

9. In view of the aforementioned discussion, I find no merit in the present petition. Therefore, the same stands dismissed with costs of Rs.20,000/- to be deposited with the Punjab State Legal Services Authority, Disaster Relief Fund, Account No.44426937384, IFSC Code: SBIN0014656 SBI, Sector 68, SAS Nagar as the present petition has been filed without any change in material circumstances and that too within a span of 21 days of the withdrawal of the earlier petition.

(JASJIT SINGH BEDI)
JUDGE

19.09.2025

JITESH

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