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

CRM-M-44734-2025

Date of Decision: 14.11.2025

Parveen @ Dhila

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Bijender Dhankar, Advocate, for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Neeeraj Sharma, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached by way of filing the present petition praying for grant of regular bail in case FIR No.107 dated 15.04.2023 under Sections 302, 452/34 IPC and Section 25 of Arms Act, 1959 (Sections 212, 120-B and 201 IPC added lateron) registered at Police Station HSIIDC Barhi, Sonipat, 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, Ravit. It was alleged that they are two brothers and two sisters. His younger brother Rohit (deceased) was unmarried and employed with PWD, Delhi. His sister Monika was married about 12 years ago with Pardeep. About six months ago, Pradeep died by committing suicide. Family of Pradeep blamed his sister Monika for the suicide of Pradeep. Since then, Praveen (petitioner) brother of Pradeep was repeatedly threatening Monika to face the consequences. On 14.04.2023, Rohit brother of the complainant went to sleep on the roof of their house. In the morning of 15.04.2023 at about 08:00 a.m., when his sister Monika went to wake him up, she found him lying dead on the bed with gunshot wounds to the left side of his chest and the head. It



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was strongly suspected that Praveen alongwith unidentified accomplices entered their house and shot his brother with fire arm. Thus, request was made to take legal action. On registration of the FIR, the investigation commenced. During the investigation, father of the petitioner was arrested on 03.07.2023, who made a disclosure statement about the complicity of his son i.e. the petitioner. Thus, the petitioner was arrested on 19.07.2023. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Sonapat praying for the grant of bail, however after hearing both the sides and finding no merit in the same, learned Court declined the bail application filed by the petitioner vide order dated 04.08.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that admittedly, the case of the prosecution totally based on the circumstantial evidence. He submits that family of the petitioner and family of deceased belonged to different villages. He submits that the petitioner was employed in Army and he had come on leave. It is submitted that rivalry between both the families was on account of the suicide committed by Pradeep brother of the petitioner. He submits that it is because of the same, the petitioner was suspected to be the accused in the present case. However, the prosecution failed to produce any credible evidence to connect the petitioner with the alleged offence. It is submitted that the occurrence had taken place in the house of the complainant in the



fateful night of 14.04.2023. He submits that the story put by the prosecution is in itself incredible as the fire arm injury can never be caused without any noise, after entering the house since it was in the midst of the village. He submits that the only evidence produced by the prosecution is the last seen evidence i.e. the petitioner was allegedly seen running from the place of occurrence. However, this statement of the last seen witness was recorded five months after the occurrence i.e. 28.09.2023, which in itself is unbelievable. He submits that prosecution miserably failed to connect the petitioner with any evidence on record and thus, false implication of the petitioner is writ large. It is submitted that in all there are three accused, out of them two accused are already on bail and the petitioner is behind bars since the date of his arrest and hence, he has completed incarceration of more than two years. He submits that even otherwise the material witnesses also stand examined. To buttress his arguments, he submits that the petitioner has no criminal antecedents and thus, in the facts and circumstances of the present case, the petitioner deserves to be granted regular bail.

4. Learned counsel for the complainant has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner has strong motive to commit the offence and admittedly both the families are related to each other. He submits that prosecution produced the credible evidence against the petitioner.

5. Learned State counsel has also vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner was employed in Army and at the time of occurrence, he was on



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leave and he had strong motive to eliminate the deceased and thus, on the fateful night of 14.04.2023, it was the petitioner, who went to the place of occurrence and shot the deceased. He submits that the case of the prosecution has been supported by the last seen witness Ajmer. He submits that from call details record, location of the petitioner was also found in the vicinity of the village, where the occurrence took place. On instructions, he has submitted that out of total 40 prosecution witnesses, 13 prosecution witnesses, have been examined. He has placed on record the custody certificate of the petitioner.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the occurrence in the present case was taken place in the intervening night of 13/14.04.2023. The case of the prosecution admittedly based on circumstantial evidence. Statement of the last seen witness had been recorded on 28.09.2023. Besides this, prosecution had collected location of the petitioner on the basis of call details report. The petitioner is behind bars since the date of his arrest. The custody certificate would show that the petitioner has suffered incarceration of 02 years, 03 months & 25 days as on 13.11.2025. It further shows that the petitioner has no criminal antecedents.

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. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned



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counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. 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.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

14.11.2025

sharmila

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No