

HRRE01-005919-2026



Presented on : 31-07-2026
Registered on : 31-07-2026
Decided on : 12-08-2026
Duration : 0 year, 0 month, 12 days

IN THE COURT OF SESSIONS JUDGE,
REWARI.
(PRESIDED OVER BY GURVINDER SINGH WADHWA)

BA-943-2026

Nikhil Mehlawat son of Sh. Mohar Singh, aged-54 years, resident of House No.21P, Sector-40, Gurugram.

-----Applicant-accused.

Versus

State of Haryana

.....Respondent.

FIR No.183 dated 20.07.2021.
Under Sections : 302/201 IPC.
Police Station : Kasola, Rewari

1ST APPLICATION FOR BAIL UNDER SECTION 483 BNSS

Argued by: Shri Amarjit Singh Yadav, Advocate for the applicant-accused.
Shri N.K. Bukkal, Public Prosecutor for the State with Shri
Harish Yadav, Advocate for the complainant.

ORDER :-

This order will dispose of the bail application filed by the applicant-accused under Section 483 BNSS.

2. In this case, a dead body of an unknown lady was found on the bank of the road towards temple in village Asalwas on 20.07.2021 at about 06:00 AM, when the complainant Rajesh Kumar son of Sh. Ganpat Singh,

Sarpanch of the village Asalwas was going for morning walk. It is stated that some unknown person had put the dead body over there to destroy the evidence after killing her. The dead body was tried to be got identified from the passersbyes and the persons present over there including from the team of Scene of Crime called on the spot. The complainant Rajesh Kumar moved the written application to SI/SHO Vidha Sagar on the spot for a legal action against the unknown person. From the contents of the application, finding a case for the commission of the offences under Sections 302/201 IPC, the case was registered and on registration of the FIR, the case was investigated upon. The postmortem examination on the dead body of an unknown lady was got conducted. The spot was inspected and the evidences from the spot were collected and for preserving the same, it was sent to FSL, Madhuban in a plastic jar along with the envelop. Viscera was also sent to RFSL, Bhondsi whose result has been received and it has been mentioned by the doctor that 'semen could not be detected on the exhibits 1a, 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k and 1l. The opinion of the doctor was taken. The accused having criminal backgrounds were joined in the investigation and in spite of the much efforts, the dead body of the unknown lady could not be identified nor any clue was received against the accused. The untrace report was prepared in this case on 21.08.2022. On 19.06.2023, Inspector/SHO Santosh Rawat, Police Station Safdarjang Enclave, New Delhi along with staff of Police Station Kasola along with Rifat Jahan daughter of Sh. Jaheer Ahmad, resident of A-2/100, Safdarjang Enclave, New Delhi came in the police station and stated that the deceased in FIR No.183/21, Police Station Kasola

is her sister Jeba Ahmad daughter of Sh. Jaheer Ahmad, wife of Nikhil Mahlawat, resident of House No.41, Sector 82, Jalvayu Vihar, Gurugram and Rifat Jahan had already got lodged the Daily Diary Report No. 80-A on 07.09.2022 regarding the missing of her sister Jeba from the residence in June, 2021 in Police Station Safdarjang Enclave. After that on 14.12.2022, Rifat Jahan moved a separate complaint on which FIR No.459 dated 14.12.2022, under Section 365 IPC, Police Station Safdarjang Enclave, New Delhi was registered. The said case was investigated upon by Inspector Darpan Singh. Rifat Jahan had moved an application for constituting special investigation team for investigation and the said application had been forwarded to SP, Rewari who ordered for the same vide order dated 24.06.2023 received on 26.06.2023 and a special investigation team has been made and Sh. Narender Kumar, HPS DSP, Bawal was deputed for supervision. The case was investigated upon by Special Investigation Team under the supervision of Sh. Narender Kumar, DSP, Bawal. During investigation, Rifat Jahan came along with her mother Afroj Jahan in the police station and got recorded her statement under Section 161 Cr.P.C. It is stated that the deceased is her daughter Jeba Ahmad. For the identification of the dead body, DNA had been got preserved in FSL, Madhuban, Karnal. For the comparison of DNA of Afroj Jahan with the preserved DNA, notice under Section 160 Cr.P.C. was given to Afroj Jahan who agreed to give her blood sample for DNA comparison after giving her written consent on which an application for taking blood sample for DNA of Afroj Jahan was moved to the doctor whereupon the doctor took the blood sample of Afroj Jahan for

DNA comparison and forwarded it with the forwarding letter and sample seal of the doctor, which was deposited in malkhana. On 14.07.2023, the sample was sent to FSL, Madhuban for DNA comparison. On 21.07.2023, Rifat sister of deceased Jeba Ahmad gave a mobile No.9810658884 for taking call details from Cybre Cell, Rewari but the said call details could not be received as the period of more than two years had been passed. The DNA report has been received in the police station by post in which it has been stated that it could not be compared to that of reference blood sample item No.6, therefore, no opinion can be given in the present case. Therefore, the DNA comparison could not be got done. On 16.06.2024, the record from Hans Resort, Delhi to Jaipur Road regarding stay of Nikhil Mehlawat and Jeba Ahmad in Room No.216 vide invoice No.188 dated 18.07.2021 time 10:15 AM to 19.07.2021 time 09:00 AM was collected. The application for call details of the mobile phone number of Nikhil Mehlawat bearing No. 9810658884 and of deceased Jeba Ahmad Mobile phone No. 7340660884 was sent to Cyber Cell for call details but the same also could not be received as the time was more than two years. The accused Nikhil Mehlawat was joined in the investigation of the case on 10.11.2024. Finding sufficient evidence against him, he was arrested in this case. He was got medico legally examined. The accused gave his disclosure statement. The provision under Section 404 IPC was added as the accused Nikhil Mehlawat had taken the mobile phone of Jeba Ahmad from the dead body of Jeba Ahmad after killing her. The accused also identified the place where he had killed Jeba Ahmad and after killing Jeba Ahmad, the dead body had been thrown. The

accused Nikhil Mehlawat was produced in the Court and was taken on police remand for one day. The accused gave his disclosure statement. He was being taken to Jaipur as per his disclosure statement but near Neemrana, Rajasthan, he gave his another disclosure statement resiling from his earlier disclosure statement and stated that he has got the vehicle bearing registration No. HR-26-BU-9335 scrapped from Junk Dealer as it was valid for 10 years vide which he had killed Jeba Ahmad and that he does not know the name of Junk Dealer. To avoid the suspicion, he kept phone of Jeba Ahmad switched on and replied the WhatsApp messages received on the phone of Jeba Ahmad and after six months of that he broke the mobile phone of Jeba Ahmad and broke the SIM card and threw it. He had earlier told a lie out of fear. On completion of the investigation in this case, the final report has been filed against the accused in the Court on 27.01.2025.

3. Notice of the bail application was given to the State. The State has filed the reply to the bail application opposing the prayer of the applicant-accused.

4. I have heard the learned counsel for the applicant-accused as well as the learned Public Prosecutor for the State assisted by the learned counsel for the complainant.

5. The learned counsel for the applicant-accused submitted that the applicant-accused is innocent and has not committed any offence and has been falsely implicated in this case. There is no eye-witness account. The case is based on circumstantial evidence. The applicant-accused has been joined in the investigation of the case and arrested on 10.11.2024 after three

years of the missing case as the dead body was found on 20.07.2021. The DNA of the mother and of the deceased do not match. The record of the hotel has been taken into possession. There is only one circumstance with the prosecution that there is photocopy of the adhaar card of Jeba Khan in the hotel record along with the applicant-accused on which the applicant-accused has been joined in the investigation of the case. The learned counsel submitted that actually this document has been introduced by the police later on to connect the applicant-accused with the crime. It is the general tendency of the hotelier to keep the photocopy of the adhaar card. There is no signature on the said adhaar card. No signature on the register of the hotel. There is no mentioning of the names of the guests. There is no mobile number of Jeba. No call details of the applicant-accused with Jeba Khan has been received and is with the prosecution. There is no other female involved in the case. There is no evidence, how the copy of the adhaar card of Jeba is there and how the applicant-accused is connected with that. It is not the case of the prosecution that Jeba Khan was the wife of the accused Nikhil Mehlawat. PW1 has appeared in Court. The learned counsel submitted that there is the reference of the age of the person who allegedly threw the dead body as 21 years whereas the age of Nikhil Mehlawat is 44 years. The referred person was allegedly speaking Mewati whereas the applicant-accused is not Mewati. There is no motive for the applicant-accused to commit the murder of Jeba Khan. There is no other circumstance regarding the guilt of the applicant-accused with the prosecution. The WhatsApp chatting on the mobile phone of the deceased Jeba Khan continued after the

death of Jeba Khan. The identity of Jeba Khan has not been established to the effect that the dead body was of Ms. Jeba Khan. The deceased did not meet the complainant or family member. The mother of the deceased says that the deceased had met her in June. For three months, the mother did not check whether Ms. Jeba Khan is alive or not. Nothing incriminating has been recovered from the applicant-accused. The applicant-accused had agreed for NARCO test which shows his innocence. Whenever the police has called him, he joined the investigation.

6. On this, the learned Public Prosecutor assisted by the learned counsel for the complainant strongly opposed the prayer of the applicant-accused. They submitted that the case of the prosecution is based on circumstantial evidence. It is to be seen how the accused has been connected with the present crime. The DNA is not conclusive proof. The photograph is clear that it is of Jeba Khan. Her mother has seen the photograph. It is not there that the photograph is not of Jeba Khan. The applicant-accused Nikhil Mehlawat had stated in June to the deceased that he will solemnize the marriage with her. Many times the accused and Ms. Jeba Khan had gone for trip together. There was a direct connection between them. Nikhil Mehlawat is married and has two children. Earlier, the untrace report had been prepared. The applicant-accused had been arrested in this case on 10.11.2024. All the scientific evidence has been collected by the prosecution. Nikhil Mehlawat has been subjected to criminal case in the FIR at Delhi of the year 2022 and Jeba Khan is missing since 2021 but the FIR has been lodged in the year 2022. Nikhil Mehlawat was operating the mobile phone of

the deceased Jeba Ahmad after her death. Nikhil Mehlawat was misguiding the family of Ms. Jeba Khan. Nikhil Mehlawat was there in Hans Resort and the dead body of Ms. Jeba Khan has been recovered in village Asalwas at a distance of one kilometer from the hotel. In Delhi's FIR, police could not trace Ms. Jeba Khan. Nikhil Mehlawat is resident of Gurugram. The bail application has been moved by the applicant-accused Nikhil Mehlawat after one and a half year of his custody. The wife of Nikhil Mehlawat has not been joined in the investigation by the police nor has recorded her statement. Both Nikhil Mehlawat and Ms. Jeba Khan had stayed in Hans Hotel for one day i.e. from 18.09.2021 to 19.09.2021. Both were consenting parties. The body of the deceased was in perfect condition. There were 17 injuries on the person of the deceased. Ms. Jeba Khan has been killed by strangulation with chunni. Therefore, the bail application of the applicant-accused be dismissed.

7. On this, the learned counsel for the applicant-accused submitted that there is no motive of the applicant-accused to kill Ms. Jeba Khan. Ms. Jeba Khan wanted to solemnize her marriage with Ashu Chauhan. The police has not joined the said Ashu Chauhan, resident of Puna in the investigation of the case. There is no evidence regarding character of Ms. Jeba Khan with the prosecution.

8. Since it has come on record that there was connection of the applicant-accused Nikhil Mehlawat with the deceased Ms. Jeba Khan as they knew each other since long and used to go on trips jointly and both lastly stayed at Hans Hotel as the record of the Hans Hotel show their ID proofs

regarding their stay in the hotel on 18.09.2021 to 19.09.2021 in room No.216 and the dead body of Ms. Jeba Khan has been found by Sh. Rajesh Kumar, Sarpanch at 06:00 AM on 20.07.2021 at a distance of one kilometer from Hans Hotel in village Asalwas near temple and mobile phone of the deceased Jeba Khan was being operated upon by Nikhil Mehlawat even after the death of Ms. Jeba Khan, as per the disclosure statement of the accused and allegedly Ms. Jeba Khan wanted to solemnize the marriage with Nikhil Mehlawat and that the material witnesses Rifat and Afroj Jahan have not been examined so far, therefore, in view of this, this court is not inclined to grant the concession of bail to the applicant-accused at this stage. Therefore, the prayer of the applicant-accused for his bail is declined. Papers of the bail application be tagged with the main case file.

Pronounced in open court:
12.08.2026.

(Sunil)

(G.S. Wadhwa)
Sessions Judge, Rewari
(UID No. HR0085)

Note: All the pages have been signed by me.

(G.S. Wadhwa)
Sessions Judge, Rewari
(UID No. HR0085)