

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

CRM-M No. 10451 of 2015 (O&M)

Date of decision: 08.04.2015

Ashok @ Budha

..... Petitioner.

Versus

State of Haryana

..... Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. Manoj K. Tanwar, Advocate, for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana, for the respondent.

NAVITA SINGH, J. (ORAL)

Counsel for the petitioner submits that in the FIR, the complainant named the petitioner on the basis of suspicion that his son may have been abducted by the petitioner and Rakesh. Later on, Paramjit son of the complainant, was found murdered.

Counsel for the petitioner submits that the complainant did not support the prosecution version as was clear from the copy of his statement (Annexure P-2).

State counsel, on the other hand, contended that it was mentioned in the order passed by the Additional Sessions Judge, Sonapat, while dismissing the bail application that call details were obtained by the investigating agency and it was found that the present petitioner had a talk on the mobile phone of the deceased on the night of alleged abduction. It was alleged that Paramjit was eliminated because he was having an affair with the daughter of one of the accused person. State counsel submits that

it could be a case of honour killing.

Counsel for the petitioner submits that there is no such evidence against the petitioner.

However, it may be said that it is not in all cases the accused persons would be acquitted if the witnesses turn hostile, as in some cases there is strong circumstantial evidence to prove the offence and conviction can still be returned.

No infirmity is found in the order passed by the Additional Sessions Judge, Sonapat, while declining the bail to the petitioner.

Dismissed.

(NAVITA SINGH)
JUDGE

08.04.2015

Ramesh