

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

CRM-M-17041-2015 (O&M)

Date of decision : 13.08.2015

Deepak

.....Peittioner

Vs

State of Haryana

.....Respondent

Coram : Hon'ble Mr. Justice Naresh Kumar Sanghi

- 1. Whether Reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present : Mr. Surinder Gaur, Advocate
for the petitioner.

Mr. R.K. Doon, AAG, Haryana.

NARESH KUMAR SANGHI, J. (oral)

CRM-23135-2015

Prayer in this application, filed under Section 482 Cr.P.C., is for placing on record the statements of PW-2 informant Satyadev (Annexure P-2), PW-6 Arjun (Annexure P-3) and PW-7 Babloo (Annexure P-4).

After hearing the counsel for the parties and going through the contents of the application documents Annexures P-2, P-3 & P-4 are taken on record subject to all just exceptions.

Criminal Miscellaneous disposed of.

CRM-M-17041-2015

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of bail to the petitioner, Deepak who has been booked for having committed the offences punishable under Sections 201 and 302 read with Section 34, IPC, in a case arising

out of FIR No. 189, dated 11.07.2014, registered at Police Station Urban Estate, Rohtak, District Rohtak.

Learned counsel for the petitioner contends that even if whole case of the prosecution is taken at its face value, then also the petitioner is not connected with the murder of Rohit. He further contends that recovery of motorcycle does not connect the petitioner with the murder of Rohit. He also points out that the petitioner is behind bars for the last more than one year and the prosecution is unlikely to complete its case in near future. He further contends that Rohit (since deceased), who was residing with his brother-in-law (sister's husband), had not reported to the police regarding the murder of Rohit.

On the other hand, learned counsel for the State submits that there was motive on the part of the petitioner to commit murder since there was money dispute between petitioner, his co-accused and Rohit (since deceased); the petitioner had called Rohit by giving call on his mobile phone, which was recovered and call details were taken by the police and that the motorcycle belonging to Rohit (since deceased) was recovered at the pointing of the petitioner. He further contends that during investigation, it was admitted by the petitioner that he along with his co-accused strangled Rohit (since deceased).

Learned counsel further contends that out of 24 prosecution witnesses 18 have already been examined and the prosecution is likely to complete its case in near future.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

At this stage, learned counsel for the petitioner prays for withdrawal of the present petition.

Dismissed as withdrawn.

(NARESH KUMAR SANGHI)
JUDGE

13.08.2015
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