

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-1970 of 2015

Date of Decision:12.2.2015

Veneet Arora

---Petitioner

versus

State of Haryana

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr.R.S.Rai,Senior Advocate with
Mr. Karan Pathak, Advocate
for the petitioner

Mr. Rajesh Gaur,Addl. A.G.Haryana
for the respondent-State

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

REKHA MITTAL, J.

The petitioner prays for grant of regular bail in FIR No. 28 dated 12.1.2014 registered at Police Station, Gurgaon City, District Gurgaon for offence punishable under Sections 302, 201 of the Indian Penal Code (in short "IPC").

The petitioner has been indicted for committing murder of his mother in law namely Smt. Usha on the intervening night of 11/12.1.2014.

Counsel for the petitioner submits that the case is based upon circumstantial evidence as dead body of the victim was noticed lying near Dr. Jai Dayal Suta Park, New Colony, Gurgaon by one Ram Bahadur

working as a servant in House No. 11, New Colony, Gurgaon. The prosecution examined Mahesh Kumar, landlord of the house wherein the deceased was residing as a tenant on the second floor, Jai Bhagwan brother of the deceased and Vinod Kumar Bansal, a shopkeeper but none of the witnesses have pointed an accusing finger towards the petitioner. Some of the articles allegedly recovered from car of the petitioner were sent for analysis by the Forensic Science Laboratory, Government of Haryana but as per report, there was no amplification of DNA in items No. 1, 2 and 3. The story of the prosecution that the petitioner and his wife Preeti had an altercation which purportedly persuaded the petitioner to approach his mother in law at late hours on the date of occurrence is falsified and belied in view of statement of Jai Bhagwan, maternal uncle of Preeti who has admitted during cross examination that there was no dispute between Preeti and her husband Veneet Arora at any point of time. It is further argued that recoveries in pursuance of disclosure statement made by the accused are the result of padding with an intent to solve blind murder of deceased Usha. The petitioner had no motive to commit murder of his mother in law as he had cordial relations with his wife and there are two children out of their wedlock.

Counsel for the State has submitted that in view of allegations against the petitioner for committing murder of his mother in law, he is not entitled to be released on bail. It is further submitted that every effort would be made to conclude prosecution evidence within the shortest possible time

I have heard counsel for the parties and perused the records.

As per case of the prosecution, petitioner suffered a disclosure

statement leading to recovery of certain articles belonging to the deceased including one stole (scarf or shawl) used for throttling the deceased. The trial is progressing well and prosecution is likely to conclude its evidence shortly. However, in case the prosecution fails to conclude its evidence within a period of 04 months without any fault attributable to the petitioner, bail to satisfaction of the trial court. The petitioner shall remain bound by the following conditions:-

- (i) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) he shall not leave India without previous permission of the Court.

(REKHA MITTAL)
JUDGE

12.2.2015
PARAMJIT