

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

CRM No.M-29884 of 2015 (O&M)

Date of decision: 04.11.2015

Neeraj Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Bedi, Senior Advocate with
Mr. Sunil Sihag, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana
assisted by ASI Ram Avtar.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.245, dated 12.10.2014, registered under Sections 302, 201, 120-B, 376(g) and 34 IPC, at Police Station Beri, District Jhajjar.

It is contended that the petitioner has nothing to do with the present FIR and he has been falsely implicated in the instant case. The deceased was married to the petitioner on 19.07.2013 and she herself left the company of the petitioner on 16.08.2014. Thereafter, the deceased eloped with co-villager Kishan son of Babu Lal on 29.09.2014. The father of the deceased lodged a complaint against said Kishan, however, the deceased came back on 04.10.2014. A complaint was also lodged by the sister of the deceased against the family members of said Kishan, on

account of which the Kishan committed suicide implicating the family of the deceased on 07.10.2014. The brother of the deceased had lodged DDR on 08.10.2014, alleging that her sister Puja (deceased) eloped with unknown person. The body of Puja was recovered on 12.10.2014. In this background, the learned counsel states that there is no evidence to connect the petitioner with the commission of crime except the extra judicial confession of Devender. The deceased had matrimonial relationship with many people and she was never in contact with the petitioner after she left his company on 16.08.2014. The co-accused of the petitioner Dharamraj has already been granted the concession of bail by the trial Court and co-accused Narain Singh has been granted regular bail by this Court. The case of the petitioner is identical to co-accused Dharamraj and Narain Singh and there is no evidence against the petitioner or his family members. The petitioner is in custody since 16.01.2015.

On the other hand, the learned State counsel opposes the prayer of bail and states that the petitioner is the husband of the deceased. He was having doubt upon the character of the deceased that is why he in conspiracy with other co-accused murdered the deceased. The challan stands presented; the charges have been framed; out of total 23 witnesses, 01 witness has been examined so far.

I have heard learned counsel for the parties and perused the record.

As per the record the deceased had already left the company

of the petitioner much prior to her death. The other co-accused of the petitioner Dharamraj has already been granted the concession of bail by the trial Court and co-accused Narain Singh has been granted regular bail by this Court. Further, out of total 23 witnesses, only 01 witness has been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

04.11.2015

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(JITENDRA CHAUHAN)
JUDGE