

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

**CRM No.M-3344 of 2015 (O&M)
Date of decision:25.5.2015**

Chaman Lal

.....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM:- HON'BLE MR.JUSTICE DARSHAN SINGH

*** * ***

Present: Mr. Aman Pal, Advocate for the petitioner(s).

Mr. Anmol Malik, AAG, Haryana.

DARSHAN SINGH, J.

CRM No.16956 of 2015

This application has been filed for placing on record the copy of the charge-sheet dated 24.2.2015 and 11.8.2014.

Heard.

In view of the reasons mentioned in the application, the same is allowed. The aforesaid documents are taken on record.

CRM No.M-3344 of 2015

The present petition has been filed by accused petitioner-Chaman Lal for grant of regular bail in case FIR No.240 dated 8.7.2013 under Sections 364, 302, 201, 212, 34, 120-B of the Indian Penal Code, registered at Police Station Mahesh Nagar, District Ambala.

As per the prosecution case, on 8.7.2013, Gurpal Singh,

father of the complainant-Jagpreet Singh, was kidnapped by the co-accused of the petitioner. He was taken in the office of Kala Ganth at Karadhan road Tangri Bandh where the present petitioner Chaman Lal was already present. Gurpal Singh was brutally murdered in the said office room and parts of the dead body were packed in separate polythene bags and were thrown in the canal. The present petitioner had taken care of the vehicles of the co-accused used in the crime and was stated to be in conspiracy with other accused. He was arrested in this case on 18.8.2013. Since then he is in custody. His application for grant of regular bail has been dismissed by the learned trial Court.

Learned counsel for the petitioner contended that even as per the prosecution allegations, no role has been attributed to the present petitioner in the main crime i.e. the murder of Gurpal. It is alleged that he was simply present in the office. In the disclosure statement of the co-accused Randeep, it has simply been mentioned that the petitioner took care of the vehicles after the dead body was thrown in the canal. There is no material on record to show that the petitioner was in any manner in conspiracy with the main accused for the commission of murder of Gurpal. He contended that the petitioner is in custody since 18.8.2013. The conclusion of the trial will take long time. So, he is entitled for the grant of the regular bail.

On the other hand, learned State counsel contended that the present petitioner was in conspiracy with the other accused

which is evident from his own disclosure statement as well as the disclosure statements of the co-accused. He contended that the petitioner was already present in the office room where Gurpal was brutally murdered. He had been coming in and out of the room at the time of occurrence and was keeping a watch on the said room where Gurpal was murdered. He further contended that the room where Gurpal was murdered was in possession of the present petitioner. All these facts clearly show that the present petitioner was in conspiracy with his co-accused in the commission of the murder of Gurpal.

I have duly considered the aforesaid contentions.

It is settled principal of law that at the time of deciding the bail application, it is not desirable for the Court to meticulously examine the evidence as it may cause prejudice to either of the parties. The material on record is only to be examined with a view to find out the broad allegations against the accused. In the instant case, the Investigating Officer recorded the disclosure statements of the present petitioner and his co-accused Mohit @ Kaga, Vivek @ Kavi, Randeep which reveal that the present petitioner was already present at the office room where Gurpal was taken and brutally murdered. His body was cut into pieces. It is also alleged that the accused petitioner was keeping a watch and when the dead body was taken away, he was taking care of the vehicles used in the crime. The charges against the present petitioner have been framed for the criminal conspiracy.

Thus, in view of the gravity of the offence and allegations

against the present petitioner, he does not deserve the concession of the regular bail.

The present petition is without any merits and the same is hereby dismissed.

May 25, 2015
ps

(DARSHAN SINGH)
JUDGE