

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-13857 of 2016 (O&M)
Date of Decision: 05.05.2016

Jai Kumar @ Jakar

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Suryakant Gautam, Advocate for the petitioner.

Mr. Anmol Malik, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

The present petition has been filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.135 dated 31.7.2015 under sections 302, 34 I.P.C registered at Police Station, Bapoli, District Panipat.

Learned counsel for the parties have been heard.

F.I.R came to be registered on the statement of Mohan. Deceased in this case is Kartar Singh i.e. father of the complainant.

Complainant had alleged that on 31.7.2015 an altercation had taken place between his father and the present petitioner as also co-accused Gulaba. On the next morning complainant saw the body of his father lying on a cot with multiple injuries caused on the head. F.I.R, as such, was registered on the basis of a suspicion voiced by the complainant that he has complete belief that the present petitioner as also Gulaba had killed his father by causing injuries with bricks on his head.

Learned State counsel has apprised the Court that the disclosure statement of the present petitioner was recorded on 1.8.2015, wherein he had stated that he along with Gulaba had an altercation with Kartar Singh

(since deceased) on 30.7.2015 and as such, it was decided to kill Kartar Singh and in furtherance of such objective, co-accused Gulaba had caught hold of Kartar Singh when he was sleeping and the present petitioner had inflicted multiple injuries on the head of Kartar Singh with a brick. State counsel further submits that it is the present petitioner who had got the brick recovered as also identified the place of occurrence. Even though, the evidentiary value of such a disclosure statement of the accused himself would be a moot issue to be considered during the course of trial, yet, in the circumstances of the case and against the backdrop of such serious and heinous crime, this Court is not inclined to extend to the petitioner benefit of regular bail, at this stage.

Petition, accordingly, is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

05.05.2016
lucky