

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1828 of 2016 (O&M)
Date of Decision: 17.3.2016

Bharat

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. Johan Kumar, Advocate for the petitioner.

Mr. Vivek Saini, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.116 dated 19.10.2014 under sections 364-A, 405, 302, 201, 75, 34 I.P.C registered at Police Station, Tigaon District Faridabad.

Learned counsel for the parties have been heard.

F.I.R was registered on the statement of Smt. Kashmiri Devi. It was stated that on 6.10.2014 her son Naveen had left the house at about 9.30 A.M and having contacted on phone he stated that he is in Ballabhgarh and would return home in the evening. He, thereafter, went missing. Decomposed body of Naveen was recovered on 9.12.2014.

It is a case of circumstantial evidence. Petitioner was arrested on 9.12.2014. The only incriminating material against the petitioner is his own confessional statement before the police authorities and on the basis of which it is stated that pieces of a wine bottle were recovered.

It has gone uncontroverted that during the course of trial prosecution witness PW-5 Kashmiri Devi (complainant), PW-6 Rambir, father of the deceased and PW-7 Pintu, real brother of the deceased have not

supported the prosecution version.

Co-accused Sudama has been granted benefit of regular bail by this Court in the light of order dated 15.1.2016 passed in CRM No. M-925 of 2016.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Faridabad.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

17.3.2016
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