

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

**CRM No. M-23586 of 2016
DECIDED ON: AUGUST 03, 2016**

CHANDER PAL

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Surender Dhull, Advocate
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J

By virtue of this petition preferred under Section 439 Cr.P.C., petitioner has sought regular bail in case FIR No. 91 dated 03.04.2016 under Section 306 IPC and 3 (2) (v) 33/89 of SC/ST Act registered at Police Station Tosham, Distt. Bhiwani.

The contention of learned counsel for the petitioner that petitioner has been falsely implicated in the instant case. In fact, he has nothing to do with the alleged suicide committed by Vikas. Petitioner was arrested in this case on 05.04.2016. Since then, he is suffering incarceration. Report under Section 173(2) Cr.P.C. has already been presented and the trial Court is seized of the matter. The disposal of trial is not likely in the short span of time. Moreover, deceased-Vikas had a matrimonial dispute, due to which, he has committed

suicide. Petitioner has been roped in, in the instant case just to extract money from him. Moreover, there is simple allegation in the FIR that deceased had called to his elder brother (complainant) on his mobile phone. There is nothing on record to suggest that deceased was being harassed or beaten by the petitioner. Moreover, complainant and deceased were working with the petitioner for the last many years and relation of the petitioner was not cordial with them therefore, they left the job. He further submits that petitioner is not a previous convict. Rather, he is having a permanent abode, as such there is no apprehension either of his absconding or tampering with the prosecution evidence, especially when the material witnesses have already been examined.

On the other hand, learned State counsel has opposed the petition, submitting that there are serious allegations against the petitioner, who has abetted the commission of suicide by the deceased and further that he was given beatings as informed by the deceased telephonically.

This Court has given a deep thought to the rival submissions made by learned counsel for the parties and have perused the record available on file.

There are specific allegations with regard to the involvement of the petitioner, which lead to the commission of suicide by Vikas. Even, at the time of autopsy, some abrasions on the abdomen of the deceased were detected by the concerned Medical Officer, which corroborates the version of the complainant. Moreover, the call details of the mobile phones of the deceased and his brother also *prima-facie* fortify the prosecution version that deceased was given beatings by the petitioner. Subsequent thereto, his dead body was found hanging on the kikar tree.

Moreover, a young person has lost his life due to the alleged acts of

the petitioner. Thus even if the petitioner is behind the bars since 05.04.2016, is itself no ground to enlarge him on bail.

Accordingly, instant petition is dismissed.

AUGUST 03, 2016
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(JASPAL SINGH)
JUDGE

Whether	Speaking/Reasoned	Yes/No
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Whether	Reportable	Yes/No
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