

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

CRM-M-31919-2016

Date of Decision: September 21, 2016

Manjeet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Navneet Singh, Advocate
for the petitioner.

Mr. Ramesh Kumar, AAG, Haryana.

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M.M.S. BEDI, J (Oral)

The petitioner, along with two others, was arrested in a case which was registered at the instance of Sunita alleging that on 17.11.2013, the petitioner along with other boys came to the house of the complainant and enquired about Rajesh, son of the complainant, and then he (Rajesh) did not come back to house on 18.11.2013.

The petitioner was involved on the basis of the disclosure statement of one Sandeep, who had stated that he had

come to the complainant, namely Sunita, and case of the prosecution is that one Sandeep had come to the complainant and disclosed that the petitioner and two others had abducted Rajesh in their car and Sandeep also accompanied them in the car, when the petitioner had a fight with Rajesh, as a result of which, Sandeep got out of the car and escaped, whereas Manjeet and others had taken Rajesh along with them. The son of the complainant, Rajesh, was allegedly seen last by Sandeep.

The petitioner has also made a disclosure statement in some other FIR, regarding he having murdered Rajesh by beating him with *danda*. The petitioner had allegedly got recovered the *danda*, which was used in the commission of offence.

It appears that out of twenty three witnesses, the material witnesses have been examined.

Learned State counsel has given a list of eight cases, in which the petitioner is accused in offences under Sections 201, 302 and 365 I.P.C.

I have considered the contention of learned counsel for the petitioner that the complainant, namely Sunita, has been examined and the material witness before whom the disclosure statement was made, i.e. Sandeep, has also been examined.

In view of the involvement of the petitioner in eight criminal cases, the probability of the petitioner indulging in

tampering with the evidence cannot be ruled out. In view of seventeen witnesses having not yet been examined, it will not be appropriate for this Court to grant the concession of bail to the petitioner.

In view of the said circumstances, this petition is dismissed.

Taking into consideration the stage of the trial, nature of the allegations and the story of prosecution, while dismissing this petition, I issue a direction that the trial Court shall make earnest endeavour to record the statements of the remaining witnesses within a period of four months. In case the trial is not concluded within a period of four months, the petitioner would be entitled to be released on bail by filing an application for bail in this Court.

(M.M.S. BEDI)
JUDGE

September 21, 2016
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No