

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

CRM-M No.1369 of 2017

Date of Decision: 23.01.2017

Amit

-Petitioner

VS

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

Mr. P.P. Chahar, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner seeks regular bail in case FIR No.758 dated 05.07.2016 under Sections 302, 201, 341, 120B, 34 IPC, registered at Police Station Chandni Bagh, District Panipat.

The complainant Aslum got registered the FIR in question with the allegation that his elder son Firoj Ali left the house as usual on 04.07.2016 at about 8.15 P.M. on his motorcycle for transacting the business of milk vendor. He did not return. Thereafter, the complainant and his son Parvez went

in search of Firoj Ali and found his one chappal and motorcycle cover on the bridge. Blood was also spotted and weapon like 'darrati' and 'binda' were also found. Many persons also attracted to the spot and the motorcycle of Firoj Ali was found in the bushes. Dead body of Firoj Ali was also found which was having number of injuries on his person. The FIR was registered against unknown persons. Petitioner was implicated on the basis of confessional statement made in police custody on 07.07.2016. The background in which petitioner was arrested was a statement made by Khurshid, cousin of the deceased on 06.07.2016 under Section 161 Cr.P.C.

Prima-facie perusal of the statement of Khurshid reveals that he was more or less an eye-witness of the alleged occurrence, still he did not venture to lodge any complaint on 04.07.2016 or 05.07.2016 when FIR came to be registered.

The recording of his statement under Section 161 Cr.P.C. has explanatory note in the context of arrest of the petitioner and recording of confessional statement in police custody.

Without commenting anything on the veracity of statements of Khurshid as well as confessional statement made by the accused in police custody, at this stage, I deem it appropriate to grant regular bail to the petitioner subject to his

furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

23.01.2017

jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No