

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

CRM No. M-16485 of 2017 (O&M)

Date of Decision: 22.05.2017

Daljeet Singh

--Petitioner

Versus

The State of Haryana

--Respondent

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

Present:- Mr. Karanvir Singh Khehar, Advocate for the petitioner.

Mr. C.S. Bakshi, Additional Advocate General, Haryana.

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.139, dated 11.05.2015, under Sections 302/201/364/368/452/420/34/120-B IPC, registered at Police Station Sadar Hansi, District Hisar.

Counsel for the parties have been heard.

Initially FIR was registered under Sections 452/364/368/34 IPC based upon secret information that the present petitioner along with his brother Jagjeet and sisters Satya Bala and Raj Bala, children of the first wife of Randhir Pehlwan and by acting in furtherance of a conspiracy have kidnapped Guddi @ Santosh and who happens to be 3rd wife of Randhir Pehlwan and would eliminate her. Allegations at that point of time were that Guddi @ Santosh and her son Sandeep have been taken away forcibly in a ford ikon car. The following day i.e. on 12.05.2015, offence under Section 302 IPC was added upon discovery of the bodies of Guddi @ Santosh and

her son Sandeep.

Counsel for the petitioner would submit that it is a case of circumstantial evidence and no conclusive incriminating evidence has been found by the Investigating Agency to implicate the present petitioner in the offence.

It is submitted that the petitioner is a serving constable with Chandigarh Police and as per information sought under the Right to Information Act, the present petitioner was certified to be on duty on the date of occurrence i.e. on 11.05.2015.

Petitioner was arrested on 12.05.2015.

In the trial that has ensued, out of 49 prosecution witnesses cited, only 25 have been examined till date.

Trial, as such, would take time to conclude.

Learned State counsel has apprised the Court that out of 4 prosecution witnesses, 2 who were close relatives of Guddi @ Santosh and 2 being neighbours have not supported the prosecution version.

Learned State counsel has also informed the Court that earlier in point of time, the present petitioner has faced trial on the allegations of having murdered the second wife and children of Randhir Pehlwan and in which he has earned acquittal.

It has also gone uncontroverted that brother of the petitioner, namely, Jagjeet and against whom there were identical allegations has been granted benefit of bail.

In view of the discussion hereinabove, on the ground of parity as also keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petitioner, Daljeet Singh be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Hisar

Disposed of.

22.05.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |