

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

CRM No.M-2366 of 2017 (O&M)

Date of Decision: April 06, 2017

Chandan

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Kunal Dawar, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.2 dated 01.01.2016 under Sections 302 and 34 IPC, registered at Police Station Bhupani, District Faridabad.

Notice of motion.

Mr.B.S.Virk, Deputy Advocate General, Haryana, has put in appearance on behalf of the respondent-State and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Police record is also available.

As per the allegations, Vijay Kumar (deceased) younger brother of the complainant, had gone to attend the duty and did not return to the home in the evening and after waiting for while night, search was made.

person was lying in a vacant plot, which was taken by the police in the mortuary. The dead body was identified by the complainant and others to be of Vijay Kumar.

As per learned State counsel, it is a case of circumstantial evidence. The present petitioner has not been named in the FIR. There is last seen and other evidence. PW-2 Narinder has already deposed against the accused before the learned trial Court and the trial is still going on.

Keeping in view the facts and circumstances of the present case and in view of the nature and gravity of the offence, I do not find it a fit case where petitioner is entitled to benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

April 06, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No