

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

CRM No. M-25351 of 2017.

Date of Decision: 01.09.2017.

Rajan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Rajeshwar Singh Thakur, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG Haryana.

JITENDRA CHAUHAN.J.(ORAL)

This is second bail application filed under Section 439 the Cr.P.C for grant of regular bail in case FIR No.100 dated 04.03.2016, registered under Sections 302 and 201 read with Section 34 IPC at Police Station Sadar Hansi, District Hisar.

It is contended that there is no eye witness account of the incident. The FIR has been registered against the petitioner and three others on a mere suspicion. No specific role has been assigned to the petitioner. There is no evidence on record that the petitioner is connected with the alleged commission of crime. The petitioner has been implicated on the basis of circumstantial evidence coupled with the disclosure statements made by the petitioner and co-accused Sunil. It is further contended that this piece of evidence is not admissible in evidence and is hit by the provisions of Section 25 of the Evidence Act.

On the other hand, the learned State counsel opposes the bail application. It is submitted that in pursuance of the disclosure statement, the petitioner got recovered one mobile phone, a motorcycle and blood stained clothes of the deceased.

Heard.

The petitioner has been specifically named in the FIR. In pursuance to the disclosure statement, the petitioner got recovered a mobile phone, a motorcycle and the blood stained clothes of the deceased. The call details have also been collected. The petitioner is alleged to have caused death of Sandeep by inflicting brick blows. Furthermore, this is second bail application. The learned counsel could not show any fresh circumstance in favour of the petitioner entitling him the grant of bail. Therefore, no case for grant of bail is made out. Consequently, the petition is dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

01.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No