

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-26557 of 2017
Date of Decision: 21.12.2017

Gaurav

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Abhishek Sindhvani, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.239 dated 22.09.2016 registered for offences punishable under Sections 365/302/201/34 of Indian Penal Code (for short, "IPC") at Police Station City Narwana, District Jind.

Heard.

Learned counsel for the petitioner submits that the petitioner was arrested in this case on 30.09.2016. He is not named in the FIR or by any other witness. The police has falsely implicated him on the basis of disclosure statement of co-accused, namely, Saroj and Ankit against whom allegation is that they have murdered Rakesh.

Learned State counsel submits that petitioner was named in the supplementary statement of complainant, which was recorded on the next day of the FIR. He has helped the co-accused in tying the deceased and then carrying away his dead body and throwing the same in a drain. The car

of the deceased in which his dead body was carried, was also recovered on the disclosure statement of petitioner. The trial is at crucial stage and release of petitioner on bail at this stage will provide him an opportunity to prevail upon the prosecution witnesses and its evidence.

In view of above facts and submission of learned Stat counsel, I find no merit in the instant petition and the same is dismissed.

December 21, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No