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

CRM-M No.3252 of 2017
Date of Decision: 28.04.2017

Dharam Pal @ Pintu

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.P. Dhir, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.227 dated 06.06.2016, registered under Sections 302, 34 IPC at Police Station Gannaur, District Sonapat.

The FIR was registered at the instance of Rohit. Complainant submitted that on 06.06.2016 in the morning, when he went to his fields, a dead body was found lying on pave road abutting to the field of one Jai Bhagwan. The dead body was found to be of his brother Rakesh who was living in Gannaur along with his children. Rakesh was killed by way of strangulation with the help of a parna. Report against unknown

persons was lodged with the police.

During the course of investigation, police arrested one Ravi and on the basis of his disclosure statement, the alleged complexity of the petitioner came to fore. The aforesaid Ravi has already been admitted to regular bail under Section 167(2) Cr.P.C.

Learned counsel for the petitioner submitted that the petitioner is sought to be connected with the offence only on the basis of recovery of motorcycle effected from his fields.

Learned counsel further submitted that the original owner of the motorcycle was Shashank Sharma resident of Shahdara who sold the said motorcycle to one Mukesh through some dealer in Delhi. The motorcycle in question is alleged to have been purchased by the petitioner from said Mukesh by way of an affidavit. The ownership of the motorcycle in terms of registration certificate has not come forth on record in the challan prepared and submitted by the police at the first instance.

Learned State counsel on instructions from ASI Surender Singh submitted that supplementary challan would be filed in the Court on the basis of further investigation. Filing of supplementary challan with or without permission of the Court would be debatable in the context of Section 173(8) Cr.P.C.

Petitioner is in custody since 05.07.2016.

At this stage, without forming any opinion on merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 28, 2017

Jyoti Y.

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No