

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

CRM-M-7836-2017

Date of decision: 18.05.2017

Dinesh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. R.S. Tacoria, Advocate,
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. Ashwani Bhardwaj, Advocate,
for complainant-respondent No.2.

Ritu Bahri, J.

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case bearing RBT-103, dated 15.06.2012/01.07.2013, titled as “Payre Lal Vs. Mulkh Raj etc.”, under Sections 302/218/167/195/120-B IPC, pending before the Court of Judicial Magistrate, Ist Class, Tohana.

The petitioner is in custody since 14.02.2017.

Learned counsel for the petitioner states that as per the facts of the case, son of the complainant namely Rajinder (aged about 18 years), was studying in 10+1 class in Government School, Uklana Mandi. On 03.03.2010, he told his mother that one Naresh Ranga was calling him. Thereafter, he went with him on his motorcycle bearing registration No. HR-23-C-8643. Later on, the complainant had come to know that his son had run away with a girl. On 05.03.2010, son of the complainant was found

lying near the school. However, on an application made by Hawa Singh, FIR No.59 dated 04.03.2010, under Sections 363 and 366 IPC had been registered with the allegation that his daughter had been enticed by the son of complainant.

Pursuant to the aforesaid complaint filed by the complainant, the petitioner has been summoned to face trial vide order dated 27.07.2016 passed by the Judicial Magistrate, Ist Class, Tohana. As per report (Annexure P-7) given by the Forensic Science Laboratory, Haryana, the cause of death of aluminium phosphide, which was detected in Ex. 1, 3a, 3b and 3c.

Keeping in view the period of incarceration of the petitioner and the fact that trial may take some time for its conclusion, this Court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on regular bail on furnishing of bail/surety bonds to the satisfaction of the trial Court.

18.05.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No