

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

CRM-M-2116-2018

Date of decision : 24.01.2018

Dharmender

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Balbir Singh Saini, Advocate
for the petitioner(s).

Ms. Mahima Yashpal, A.A.G., Haryana.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No.266 dated 10.04.2017, registered under Sections 365, 302 and 201 of IPC and Sections 25, 54 and 59 of Arms Act at Police Station Sector-7, Faridabad.

I have heard both the sides.

A complaint was lodged by the husband of the deceased that his wife was missing and she could not be found. He apprehended that some unknown person had confined her. A missing report was lodged. Subsequently, the husband made supplementary statement. He suspected the neighbour who was also absent from his house. The police investigated and found that there were exchange of calls between the petitioner and wife of the complainant. The accused surrendered before Delhi Police and he suffered a disclosure statement and the car and weapon of offence were recovered. Meanwhile, the U.P. Police found the body in Agra. The location of phone of the petitioner was also found to be in Agra.

Counsel for the petitioner contends that the petitioner is in custody since April, 2017 and he was not named in the FIR and has nothing

to do with the incident and the trial is going at a slow pace and bail be allowed to him.

The State counsel opposes the application and urges that the allegations are serious and the husband suspected the petitioner of kidnapping and that is how the police got a lead. It was urged that the petitioner had made a disclosure statement and he disclosed about his illicit relations with the deceased and the amount he had spent on her and was fed up with the demands and killed her and threw her body in drain.

The police in District Agra registered a case when they found a body of an unknown female. That FIR was lodged against an unknown person. It was during the investigation of the present FIR that the FIR registered in Agra was transferred to Faridabad. The dead body was identified by the family and Sections 302 and 201 IPC were added. The accused had got the knife recovered. The bloodstains were lifted from his car. The allegations are serious.

No case for bail is made out. The petition is dismissed.

January 24, 2018

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**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No