

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

**CRM-M No.3103 of 2018
Date of Decision: 23.02.2018**

Ajay

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. S.S. Momi, Advocate
for the petitioner.

Mr. Satish Saini, D.A.G., Haryana.

RAJ MOHAN SINGH, J.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.288 dated 15.06.2017, registered under Sections 302/120-B IPC at Police Station Sadar, Dadri District Charkhi Dadri.

Complainant Attar Singh set the official machinery in motion with the allegations that he is an agriculturist. His daughter Pinki was married with Ajay, who used to harass Pinky since the day of marriage. On 15.06.2017, both had come to the house of the complainant on the pretext of taking medicines from Saraswati Hospital, Dadri. After taking medicine and while

going back to village Achina, Ajay suddenly stopped his motorcycle and pushed Pinki in Indra Canal. Pinki died due to drowning in the Canal. The occurrence took place at about 12.00/1.00 p.m. on 15.06.2017.

Petitioner was arrested and his confessional statement was recorded on 17.06.2017 to the effect that he was having friendship with one Anita wife of late Sandeep and had illicit relationship with her. Anita had asked him to remove Pinki so as to clear obstruction in their way of performing marriage. Pinki was also in the knowledge of said illicit relation and there was a tension prevailing in the house. Petitioner admitted that on 15.06.2017, he took Pinki to Saraswati Hospital, Dadri on his motorcycle for check up and after the needful, they left for village on the motorcycle. After arriving near culvert of Indra Canal, he stopped his vehicle and pushed Pinki in the Canal.

Learned counsel for the petitioner submitted that out of 21 prosecution witnesses, only one witness has been examined so far. There was no eyewitness account in the case in respect of alleged maltreatment and harassment. Second daughter of the complainant, who was married to Rajesh could have come forward to depose against the petitioner. Having not done so, the prosecution story suffers with inherent defects. Report of chemical examiner has not been received so far. Co-accused

has already been granted bail.

I have considered the submissions made by learned counsel for the parties.

At this stage, no consideration can be made at the grounds projected by learned counsel for the petitioner as it would be established with reference to evidence.

Keeping in view the nature of allegations, I do not feel that the petitioner is entitled to any concession of regular bail at this stage.

This petition is accordingly dismissed.

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

February 23, 2018

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No