

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

CRM-M-37545-2018 (O&M)

Date of Decision:- 1.10.2018

Manish @ Monu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sushil Jain, Advocate, for the petitioner.

Mr. Navdeep Singh, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

Petitioner Manish @ Monu has filed this petition seeking grant of regular bail in respect of a case registered against him vide FIR No.405 dated 22.10.2017 under Sections 302, 201, 34 IPC, Police Station Kundli, District Sonipat.

The FIR was lodged at the instance of Smt. Chander Kalan wherein it has been stated that she has three daughters and one son and that on a day in October, 2010 when she and her son Parmod got up early in the morning, they found that her daughter Ravita was missing. It is alleged that subsequently upon making inquiries, they got to know that Ravita had eloped with Dheeraj against their wishes. Subsequently, on one or two occasions when they tried to see Ravita, Dheeraj did not permit them to see

Ravita. It is further alleged that one boy Manish @ Monu who was also residing with Dheeraj asked them to keep away from Dheeraj. It is further alleged in the FIR that the complainant has not seen her daughter for the last 6-7 years and she suspects now that Dheeraj had murdered her daughter.

Notice of this petition was issued to the State.

Learned State counsel has opposed the present petition.

Learned counsel for the petitioner has submitted that apart from a mere threat attributed to the petitioner, no role as regards the disappearance or alleged murder of Ravita is attributed to the present petitioner. Learned counsel has further submitted that in any case during the course of trial neither the complainant Smt. Chander Kalan nor her son Parmod had supported the case of prosecution and that in these circumstances the petitioner deserves the concession of bail.

On the other hand, learned State counsel has submitted that in view of the serious nature of allegations and also the fact that no whereabouts of Ravita have been disclosed, it is apparent that she has been murdered and that in these circumstances no ground for grant of regular bail is made out.

Having heard the rival submissions addressed before this Court and also bearing in mind the role attributed to the petitioner, as per the FIR and also that the complainant and her son have absolutely resiled and have not supported the case of the prosecution, when they stepped into the witness box, in my opinion no useful purpose would be served by further detaining the petitioner behind bars who has already been in custody since 23.10.2017. The petition, as such, is accepted. Petitioner Manish @ Monu is ordered to be released on bail on his furnishing bail bonds/surety bonds to

the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, Sonapat.

October 1, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No