

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-41832 of 2018

Date of Decision: 26.9.2018

Kailash

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Ms. Pratibha Yadav, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 280 dated 25.7.2017 registered at Police Station Rajendra Park, Gurugram, District Gurugram under Sections 302, 201, 376 IPC (Section 376 IPC was added later on).

Counsel for the petitioner contends that petitioner is in custody since 16.9.2017 and the allegations are that the petitioner was in custody in another case where he made a disclosure statement. Counsel further submits that there is no recovery pursuant to the disclosure statement and that statement would be inadmissible in evidence. It was urged that bail has been denied to him and the Court below had mentioned that it was a rape case but there is no evidence.

State counsel informs that charge has been framed and the case is fixed for prosecution evidence in October 2018. He further states that the

deceased used to live with the petitioner and one Suresh Kumar who knows the petitioner had made a statement that the petitioner was lastly seen with the deceased and the girl was later found dead and her body was recovered from the canal. State counsel further submits that there were injuries on her neck and abdomen.

The police has filed the challan of rape and murder. There is a witness of last seen and a disclosure statement given by the petitioner. The allegations are serious. No case for bail is made out.

The petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

September 26, 2018

Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No