

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

CRM-M-48331-2017

Date of decision:-31.5.2018

Ashok Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Johan Kumar Advocate
for the petitioner.

Mr.Neeraj Poswal, AAG, Haryana.

H.S. MADAAN, J.

This petition for regular bail has been filed by petitioner – Ashok Kumar – an accused in FIR No.0141 dated 14.2.2017, under Sections 201, 302, 328, 506, 34 IPC, registered at Police Station Sadar, District Hisar.

Briefly stated, the facts of the case as per prosecution story are that criminal machinery in this case was set into motion by complainant Rohtash Kumar son of Jhaman Lal, resident of House No.64, Block-6 village Shishwal, Tehsil Adampur Mandi, District Hisar, who in a written complaint addressed to Superintendent of Police, Hisar submitted that he had solemnized inter-caste marriage with Kiran Rani daughter of

Suresh Kumar of Jat community, resident of House No.896, Ward No.2 village Juglan, Tehsil & District Hisar on 8.8.2015; that after marriage Kiran Rani had gone to her parental house and continued with her studies; that Kiran Rani had gone to Jaipur in connection with her studies; that complainant remained in touch with her on telephone; that Kiran Rani had assured the complainant that she would be able to convince her family regarding her marriage; that on 22.1.2017 at about 7:30 p.m. the complainant received a call on his mobile phone made from mobile No.9996948030; the caller told his name as Ashok Kumar (present petitioner), who threatened the complainant whether he wanted to live or die and when the complainant asked from him the reason for speaking in that tone, then the caller said that he was aware of the matter and he would kidnap the complainant from Gurgaon. According to the complainant, he came to know that Ashok Kumar was brother of Kiran Rani and Kiran Rani had been killed by her family and cremated also. The complainant stated that he feared for his life and he be provided protection.

On receipt of the written complaint, the formal FIR was registered. The matter was investigated. Petitioner/accused was arrested in this case on 15.2.2017. After completion of investigation, challan was prepared and filed against him in the Court and now he is facing trial. He had filed an application for regular bail in the Court of Sessions, which was declined by learned Additional Sessions Judge, Hisar vide order dated 30.10.2017, as such, he has approached this Court with same request.

Notice of the petition was given to respondent – State and

counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

The cases of honor killing are increasing day by day, which is a very unhealthy trend in our society. This tendency needs to be curbed. The persons indulging in honor killings need to be dealt with sternly to send a message around that people indulging in such type of crimes shall be held accountable for their such wrongful acts. The petitioner Ashok Kumar stated to be brother of Kiran Rani deceased had committed her murder being angry with her on getting married with the complainant, which was culmination of a love affair. He has been challaned and is facing trial. As stated by the State counsel, the trial against the petitioner is going on and his guilt shall be determined during the trial. The apprehension expressed by the State counsel that if petitioner is granted bail, there is every likelihood to his absconding and even trying to tamper with the prosecution evidence cannot be brushed aside lightly.

However, while parting with the discussion, the trial Court is directed to conclude the trial expeditiously preferably within a period of six months from the date of receipt of copy of this Court in the said Court.

Therefore, finding no merits in the petition, the same stands dismissed.

31.5.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No