

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

CRM M-49883 of 2017

Date of decision : 12.03.2018

Vijay

...Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vijay Singh, Advocate for the petitioner.

Mr. Chetan Sharma, AAG Haryana.

RAJAN GUPTA J.

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 178 dated 26.05.2017 under sections 302 IPC at Police Station Sadar, Jind district Jind. It has been urged before the court that petitioner has been falsely implicated in the case. From the perusal of the FIR, no offence is made out against the petitioner. Thus, he deserves the concession of bail. Learned State counsel has opposed the prayer for bail on the ground that allegations against the petitioner are serious. According to him, deceased was last seen in the company of petitioner. After the arrest of petitioner, weapon of offence used in the commission of crime was recovered.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was registered on the statement of complainant Geeta wife of Tejpal resident of Muvana. She alleged that her husband namely Tejpal

was working as a sweeper in Government Primary School, Krishna Colony, Safidon road Jind for the last 17 years. On 25.05.2017 at about 10.30 A.M. her husband alongwith Vijay (petitioner herein) had gone on his motorcycle to bank for withdrawal of the salary and returned at about 2/2.30 P.M. Thereafter, at about 5.00 P.M. he again went out of the house. As he did not return, she alongwith her children went in search of him. However, on the next date i.e. 26.05.2017 at about 5.30 A.M. her neighbor Krishan has informed that dead body of her husband was lying in the vacant land. After registration of FIR, investigation ensued. During the course of investigation, petitioner was arrested on 05.06.2017. On his disclosure statement, weapon of offence i.e. knife used in the commission of crime alongwith his clothes was got recovered. Keeping in view the nature of allegations, gravity of crime and punishment it would entail in the event of conviction, I am of the considered view that petitioner is not entitled to concession of bail. Petition is thus without any merit and is hereby dismissed.

March 12, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No