

CRM-M-7729 of 2017 (O&M)

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

CRM-M-7729 of 2017 (O&M)
Date of Decision: 06.07.2018

Vikas

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Rakesh Nehra, Advocate, for the petitioner.
Mr. Sharad Kumar Yadav, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Vikas in case arising from FIR No.123 dated 26.05.2017 registered under Section 302, 120-B and 34 IPC at Police Station Line Par Bahadurgarh, District Jhajjar.

According to the prosecution, father of the complainant, namely, Ram Lagan was living separately from mother of the complainant due to some family feud. In the evening of 23.05.2017 father of the complainant was lying in injured condition under the influence of liquor. Complainant took his father to the local hospital and then to PGI, Rohtak, where Ram Lagan died during treatment after three days on 26.05.2017. Complainant got registered FIR aforesaid against unknown persons. In the supplementary statement complainant raised suspicion over his mother Kuwal Devi and two more unknown persons. During investigation, police has found the complicity of the petitioner in the murder of father of the

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complainant has falsely named his mother as murderer of his father on account of their *inter se* dispute because mother of the complainant, namely Kuwal Devi had filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005, levelling allegations that he was regularly harassing, beating and maltreating her and her daughter. Mastermind named by the complainant for the murder of his father, namely Kuwal Devi has already been granted regular bail by a Co-ordinate Bench of this Court vide order dated 16.01.2018. Police has arrested the police only on the basis of suspicion without any evidence. Petitioner is behind bars since 27.05.2017.

On the other hand, learned State counsel vehemently opposed the bail application.

Considering overall circumstances and the fact that the petitioner has been arrested on the basis of his extra-judicial confession, which is a weak type of evidence and treating the case of the petitioner on the same parity as that of his co-accused, but without expression any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

July 06, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No