

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

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**CRM-M-7328-2020
Decided on : 13.10.2020**

Mahipal

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Kawalpreet Singh Virk, Advocate,
for the petitioner(s).

Mr. Apoorv Garg, DAG, Haryana
assisted by SHO Sanjay Kumar.

MANJARI NEHRU KAUL, J. (Oral)

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 585, dated 29.09.2018, under Sections 148, 149, 201, 302 & 120-B IPC, registered at Police Station Safidon, District Jind.

Learned counsel for the petitioner *inter alia* contends that the petitioner, who is the husband of the deceased is completely innocent and has been falsely implicated in a case of blind murder, based on inadmissible evidence. He further contends that the dead body of the deceased was recovered from road side bushes and all surrounding circumstances indicated that the death of the deceased had occurred on account of an accident. Learned counsel has, thus, prayed for grant of regular bail to the petitioner, as he has been in custody since 29th September, 2018 and the prosecution evidence is still underway and thus, the trial is unlikely to conclude in the near future.

Per contra, learned State counsel while opposing the prayer and submissions of the learned counsel for the petitioner, has submitted that there are very serious allegations levelled against the petitioner and his family of subjecting

the deceased to inhuman and cruel behaviour prior to the occurrence in question, for which a case under Section 498-A, 323 & 341 IPC was also got registered against the petitioner and his family. Besides this, on account of the harassment being meted out to the deceased as well as his children, the respectables of the village had got share in the land of the petitioner, transferred in the name of the deceased and his children. The learned State counsel has still further submitted on instructions that the daughter of the petitioner and the deceased in her statement recorded under Section 161 Cr.P.C., has given a vivid detail of the sequence of events, preceding the occurrence, which leaves no manner of doubt that the petitioner and the co-accused murdered the deceased and thereafter, left her in the bushes. While vehemently opposing the prayer of the learned counsel for the petitioner, the learned State counsel has also submitted that since the prosecution evidence is still underway, if the petitioner is released on bail, there is every likelihood that he would try to influence the witnesses in his favour

Heard.

In the facts and circumstances of the case, I do not find any ground to extend the grant the concession of regular bail to the petitioner. Therefore, finding no merit in the instant petition, same stands dismissed. However, anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

October 13, 2020

J.Ram

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>