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

**CRM-M No.12837 of 2020
Date of Decision: 04.06.2020**

Sunil @ Dheela

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Kulvir Narwal, Advocate
for the petitioner.

Mr. Anant Kataria, AAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.442 dated 07.11.2019 registered under Sections 148, 149, 302, 364 IPC at Police Station Sadar Rohtak.

FIR has been lodged by Sikender Singh i.e. real uncle of the deceased. Petitioner was not named in the FIR, however, his name has been disclosed in the supplementary statement of the complainant dated 08.11.2019, wherein he has stated that

his nephew Ankit was murdered on 06.11.2019 and at that time, the complainant got the name of Anil son of Om Parkash and others recorded in the FIR. Complainant added the name of Shrikant son of Surajbhan and the petitioner along with Piyare son of Hawa Singh by alleging that the aforesaid three persons were also involved in putting the deceased in a car and taking him away by giving injuries and were also present at the spot on 06.11.2019. In the original version of the FIR, the complainant alleged that he received telephonic message from Sandeep son of Ram Mehar in respect of abduction of Ankit and beatings given to him in village Bhagwatipur. Sandeep gave this information on the basis of information received from one Raj Singh son of Chander. Complainant then called Raj Singh and asked whereabouts of Ankit. Raj Singh told him that Ankit is with Anil son of Parkash. Raj Singh got this information from Anil himself that a boy of his village is there with him. Thereafter, the complainant and Raj Singh reached Bhagwatipur and on making inquiry, they came to know that daughter of Anil was alleged to have left her house with Ankit and thereafter Ankit was thrashed by Anil and Sunil sons of Om Prakash, wife of Anil, daughter of Anil namely Manju and father of Anil namely Om Prakash and other persons have also given beatings to Ankit and they kept him in the fields of Anil. In the original version, the petitioner has not been ascribed any overt-act or

role.

On the next day, a supplementary statement was given by the complainant to the police in which role of the petitioner along with others came to fore.

Accused Sunil Kumar son of Om Parkash who has been specifically named in the FIR ventured to file CRM-M No.12158 of 2020 in which the High Court has been pleased to grant bail to him vide order dated 12.05.2020 by observing that it is a case of honour killing. Anil and Sunil run a poultry farm. Ankit was kidnapped in a car and taken to poultry farm where he was murdered. High Court has been pleased to grant bail without commenting anything upon merits of the case as the charges have not been framed after filing of the challan.

Learned State counsel however opposed the prayer on the ground that the complainant in his supplementary statement has specifically attributed overt-act to the petitioner along with others as they have taken the then injured in a car after giving injuries to him and the petitioner was also present at the spot on 06.11.2019.

Having heard learned counsel for the parties, it can be appreciated that the case of the petitioner cannot be segregated in terms of alleged role from that of co-accused Sunil who has

since been granted regular bail in CRM-M No.12158 of 2020 vide order dated 12.05.2020. The trial of the case may take some time in its culmination. Petitioner is in custody since 16.11.2019.

In view of aforesaid fact, without meaning anything on merits of the case, it would be just and appropriate to grant regular bail to the petitioner subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Nothing expressed hereinabove shall be construed to be an expression of any opinion on merits of the case.

June 04, 2020

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No