

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

CRM-M-15722-2020 (O&M)

Date of decision : 07.08.2020

Manjeet @ Dhillu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sumit Sangwan, Advocate for the petitioner.

Mr. Chetan Sharma, Addl. A.G. Haryana.

ANIL KSHETARPAL, J. (ORAL)

The petitioner prays for regular bail pending trial in a criminal case arising from FIR No.224 dated 23.09.2019 registered under Sections 304, 34 of the Indian Penal Code, 1860 (Section 34 IPC deleted during investigation), at Police Station Badhra, District Charkhi Dadri.

The facts of the case of the prosecution have been noticed in para 2 of the order passed by the Additional Sessions Judge, Charkhi Dadri, which is extracted as under:-

“2. As per prosecution story, the present FIR was got registered by complainant Nanad Ram stating that he is a retired Army personnel. He has two sons and his elder son has already been expired. On 22.9.2019 at about 8:30 a.m. Mahabir son of Shish Ram and Dhillu alias Manjeet son of Ram Kishan, came to his house and called his younger son Krishan. Thereafter, all of them went somewhere. At about 6:00 p.m. Suresh son of Amar Singh told the complainant that his son Krishan Kumar has died due to drowning in the

‘Johar’ of ‘Brahman’. On the way, Mahabir son of Shish Ram met him with wet clothes, who stated that firstly Dhillu alias Manjit fell him in the Johar by pulling with his leg but he escaped himself and then said Dhillu alias Manjit pulled Krishan and fell him into the ‘Johar’. Krishan do not know swimming and therefore, due to this reason, he drown in the ‘Johar’. Thereafter, the dead-body of Krishan was taken out from the ‘Johar’ and shifted to General Hospital Dadri, where he was declared as dead. With the afore-said allegations, aforesaid FIR was lodged.”

Learned counsel for the petitioner contends that the petitioner is in custody since 11.11.2019. The police after conclusion of the investigation has already presented the challan on 07.01.2020. However, the trial of the case has not began. He submits that the petitioner has been falsely implicated.

On the other hand, learned counsel for the State has submitted that a young man namely Krishan has lost his life.

This Court has considered the submissions of the learned counsel for the parties.

Without commenting on the merits of the case and keeping in view the fact that the conclusion of the trial is likely to take time, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

07.08.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No