

101 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24170-2020
Date of Decision:25.08.2020

GURMESH

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Surinder Singh Duhan, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition the petitioner seeks the grant of anticipatory bail in FIR No.231 dated 02.07.2020, registered under Sections 148, 149, 302, 328, 323 and 380 IPC at Police Station Sadar Fatehabad, District Fatehabad.

The case of the prosecution as borne out from the FIR is that the complainant's son Pawan Kumar got married to the petitioner's daughter-Sonu and from their wedlock they have two children. For the last four years relations between Pawan and Sonu were not good. One day before the date of occurrence i.e on 30.06.2020 a dispute took place between Pawan Kumar and Sonu as a result whereof Sonu made a phone call to her parents. On 01.07.2020 at about 9:15 a.m. Vinod, uncle of Sonu, came to the complainant's house and talked to Sonu for sometime. Thereafter the petitioner along with 5-6 persons came there and laid down Pawan Kumar on the ground and in that position Sonu administered poison to him. The complainant's brother and his neighbour came there and on seeing them the accused ran away. Thereafter

Pawan Kumar was taken to the hospital where he was stated to have died.

Learned counsel for the petitioner inter alia contended that 8 years ago Pawan Kumar (deceased) had attempted to commit suicide. Though he was acquitted in that matter it was likely even now he had committed suicide and therefore, the allegations of murder against the petitioner are false. It is further submitted that as per the FIR only Vinod had come to the house of the complainant and therefore the role attributed to the petitioner is not plausible.

In the FIR there are found specific allegations with regard to the active role played by the petitioner in the murder of Pawan Kumar. For this reason alone this Court is of the considered opinion that custodial interrogation of the petitioner is necessary.

Dismissed.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

August 25, 2020

Jyoti-IV

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

(DEEPAK SIBAL)
JUDGE