

106 (2nd case)

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

CRM-M-28657-2020

Date of Decision: 16.10.2020

Manoj KumarPetitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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(through video conferencing)

Present: Ms. Vijay Lakshmi, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Mr. Namit Khurana, Advocate
for the complainant.

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MANJARI NEHRU KAUL, J. (Oral):

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 110, dated 03.09.2019, under sections 306, 376, 370, 328, 366, 385, 341, 216, 406, 120-B IPC, registered at Police Station Jathlana, District Yamuna Nagar.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the case on false allegations and due to a grudge which the complainant was nursing against the petitioner, as the deceased and petitioner were in a live-in relationship. It has been further contended that in fact, it was the mother of the deceased, who forcibly administered poison to her, leading to her death. Learned counsel for the petitioner also contended that the co-accused have since been extended the concession of regular bail.

Per contra, learned State counsel has opposed the prayer and

submission of the learned counsel for the petitioner by submitting that there were serious allegations levelled against the petitioner in the FIR in question, to the effect that he had been continuously blackmailing and raping the deceased. The signatures of the deceased were obtained by the petitioner on blank papers and subsequently misused and manipulated by him to create evidence of being in a live-in relationship with the deceased.

Heard.

A perusal of the FIR *prima facie* reveals that the petitioner was an active participant in the alleged crime. He blackmailed the deceased, subjected her to rape and got various documents executed from her and finally drove her to end her life. His case is clearly distinguishable from the co-accused, who have been extended the concession of regular bail. Hence, he cannot seek concession of bail on ground of parity.

In the facts and circumstances of the case, the petitioner does not deserve the concession of regular bail, more so, when the evidence is yet to be recorded. Accordingly, the instant petition stands dismissed. However, anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

16.10.2020

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Note: Whether speaking/reasoned
Whether Reportable:

(MANJARI NEHRU KAUL)
JUDGE

Yes / No

Yes / No