

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Item No.102

CRM-M No.16327 of 2021

Date of Decision: April 15, 2021

Anuj @ Sachin

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR JUSTICE VIVEK PURI

Present: Mr. Tribhawan Singla, Advocate for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana.

*(The case has been taken up through video conferencing on account
of Covid-19 Pandemic)*

VIVEK PURI, J. (Oral)

The petitioner is seeking anticipatory bail under Section 438 Cr.P.C. in case FIR No.499 dated 10.10.2020 under Sections 302, 34 IPC registered at Police Station Gharaunda, District Karnal.

The FIR has been registered on the basis of the statement of Dharampal alleging that his marriage was solemnized with Rajwanti and three children including Preeti aged 15 years were born out of their wedlock. The wife of the complainant alongwith three children were residing separately. The wife of the complainant had developed illicit relations with one Bajender. On 07.10.2020, the complainant received telephonic information that Bajender along with his wife had committed the murder of Preeti.

It has been argued by learned counsel for the petitioner that he is 19 years old and has been falsely implicated in the instant case. The petitioner has joined the investigation and there is no reliable evidence to

indicate that the petitioner has committed the crime.

On the contrary, it has been argued by learned State counsel that the deceased was 15 years old girl and a chip was recovered from the box of the Preeti which reveals the conversation between the deceased and the petitioner, who were neighbours and in relationship. The said relationship has resulted in the commission of the murder. Furthermore, it has been categorically stated that the petitioner has not joined the investigation and the accused named in the FIR have co-operated during the investigation.

The petitioner though has not been named in the FIR but the FIR cannot be termed to be encyclopedia of the entire facts and circumstances of the case.

In the case in hand, the petitioner is stated to be in relationship with the deceased and a chip containing conversation between them has been recovered from the box of the Preeti-deceased. A young girl aged about 15 years has lost her life and the matter requires thorough probe and investigation. The custodial interrogation of the petitioner appears to be just and essential to unearth all the conspirators and the persons involved in the crime resulting in the murder of young girl aged about fifteen years. It will be too early to conclude that the petitioner is not involved in the commission of the offence and no extra-ordinary circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

Dismissed.

(VIVEK PURI)
JUDGE

April 15, 2021

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No