

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(215)

CRM-M-28175-2021(O&M)

Date of Decision: 04.10.2021

Vikram @ Vicky @ Dhandu

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Manish Bansal, D.A.G., Haryana.

RAJESH BHARDWAJ.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

CRM-33159-2021

Application is allowed as prayed for.

Statements of witnesses are taken on record as Annexures P-5 to P-7.

Main Petition

The present petition has been filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case FIR No.0155 dated 18.12.2020 under sections 306, 354 I.P.C, registered at Police Station, Machhroli, District Jhajjar.

Learned counsel for the petitioner vehemently contends that the petitioner was falsely implicated in the present FIR and no offence, as alleged, is made out against him. It has been further contended that the FIR in question was got registered by Sooraj son of the deceased on the basis of

allegations that petitioner Vikram used to harass his mother which was being opposed and due to the same reason his mother consumed poison on the intervening night of 17/18.12.2020. As a result, the present FIR was registered and after completion of investigation challan was presented in the court. Counsel further submits that though the complainant has supported the case of the prosecution but the three witnesses i.e. PW-1 Ishwar Singh, uncle of the petitioner, PW-2 Kamal, cousin of the petitioner and PW-3 Bahadur Singh, uncle of the petitioner have been examined and they have not supported the case of the prosecution. Their testimonies have been placed on record. Counsel further submits that no case of abetment under Section 306 I.P.C is made out against the petitioner. It has further been submitted that the petitioner is behind bars since 23.1.2021.

Learned State counsel has opposed the contentions raised by learned counsel for the petitioner and has submitted that the petitioner has been specifically named in the FIR and an offence under Section 306 I.P.C for abetment is made out against him.

Without commenting on the merits of the case, I find that petitioner deserves to be enlarged on bail.

In the totality of circumstances and without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, concerned. Nothing stated herein shall be treated as an expression on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

04.10.2021

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