

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

CRM-M-18225-2021 (O&M)

Date of decision: 31.10.2022

Rahul

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. R.K. Jaswal, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, AAG Haryana.

Ms. Promila Nain, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.559 dated 25.11.2019, registered at Police Station City Gohana, District Sonapat, under Section 302 read with Section 34 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner contends that the petitioner was a Constable in the Border Security Force (BSF); that the petitioner was not named in the FIR and has been implicated in the present case on the statement of one Sumer Singh before whom the petitioner had allegedly made the extra-judicial confession, have been given up by the prosecution agency. He further contends that the petitioner has been in custody since 27.11.2019; that the complainant has already been examined but some of the prosecution witnesses are yet to be examined; that co-accused Anu has been granted the

concession of regular bail by a Coordinate Bench of this Court vide order dated 23.12.2020 and that out of 29 prosecution witnesses, only 15 have been examined so far.

On the other hand, learned State counsel and learned counsel for the complainant, while controverting the submissions made by the learned counsel for the petitioner, submit that the allegations against the petitioner are very serious. The petitioner had an extra marital affair with Shivani, who was unmarried and was working as a Teacher in Mastnath College, Rohtak, and the petitioner along with his wife co-accused Anu, had murdered Shivani. In case, the petitioner is enlarged on bail, every effort will be made by him to either tamper the evidence or win over the witnesses. Co-accused Anu was granted regular bail being a lady and she has also to look after her child. However, they do not dispute the factum that some of the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

Since there are serious allegations against the petitioner and the petitioner was working in a disciplined force, even then he has committed such crime, this Court is of the view that the petitioner does not deserve the concession of regular bail.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

31.10.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No