

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-5698-2023(O&M)
Date of decision: 10.05.2023

Rajat Vasan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Tejinder Pal Singh, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this 4th petition, the petitioner seeks regular bail in case bearing FIR No.313 dated 08.08.2020, registered at Police Station Indri, District Karnal, under Section 346 IPC (charges framed under Sections 201, 306, 377, 384 and 506 IPC. The earlier petitions were dismissed as withdrawn on 07.12.2021, 03.02.2022 and 04.07.2022 respectively.

Status report by way of affidavit dated 08.05.2023 of the Deputy Superintendent of Police, Headquarters, Karnal, submitted by the learned State counsel in the Court, is taken on record. Copy of the same has also been handed over to the learned counsel for the petitioner in the Court.

Learned counsel for the petitioner contends that the petitioner has falsely been involved in the present case; that the alleged suicide note is a fabricated document, which has been placed on record just to implicate the petitioner.

Learned counsel for the petitioner further submits that the petitioner had a grocery shop outside the house of the complainant, mother of Lalit Sethi (since deceased); that initially, the above-noted FIR was registered qua the missing of Lalit Sethi; that however, charges have been framed under Sections 201, 306, 377, 384 and 506 IPC; that testimonies of the mother and brother of the deceased i.e. Kanta and Munish Kumar, have already been recorded; that the petitioner has been in custody since 04.07.2021; that there is no other case registered or pending against the petitioner and that out of 13 prosecution witnesses, only 06 have been examined so far.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner has developed physical relations with the deceased and used to harass and humiliate him and that the petitioner has also taken Rs. 4 lakh from the deceased, due to which the latter committed suicide and that the suicide note itself speaks volume. However, she does not dispute the custody period of the petitioner and that there is no other case against the petitioner. She submits that out of 13 prosecution witnesses, 06 (including the mother-complainant and brother of the deceased) have already been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 04.07.2021. The testimonies of the mother (complainant) and brother of the deceased have already been recorded. Remaining 07 prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Moreover,

there is no other case against the petitioner. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

10.05.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No