

205

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

CRM-M-22744-2022 (O&M)

Date of decision :04.08.2023

Ravi**...Petitioner****Versus****State of Haryana****...Respondent****CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. A.K.Dahiya, Advocate,
For the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

ARUN MONGA, J. (ORAL)

This is first foray of the petitioner before this Court, seeking regular bail in FIR No.223 dated 29.06.2020, registered under Section 302 IPC at Police Station, Sadar Gohana, District Sonipat.

2. Case of the prosecution is that complainant Sombir son of deceased, got registered the case, on the allegations that on 28.06.2020, his father Suresh and other family members came in the marriage of Sunil-son of his paternal aunt (*Bua*) in village Jauli, for Bhaat ceremony. On 29.06.2020, his cousin Jaideep informed that dead body of his father-Suresh was lying near Jauli-Lath Chowk. He reached the spot and found the dead body of his father in the bushes, having 8-9 marks of sharp edged weapon. Complainant suspected that some unknown persons having grudge might have committed murder of his father. FIR under Section 302 of IPC was registered.

2.1. During investigation, petitioner was arrested on 30.06.2020.

On interrogation, petitioner suffered disclosure statement *qua* his involvement in the commission of murder of deceased-Suresh.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. He was not named in the FIR. He was named as an accused on the basis of supplementary statement of complainant on 30.06.2020. Challan has already been presented. Petitioner is no more required for custodial interrogation. Nothing is to be recovered from the petitioner. He further submits that conclusion of trial will take long time and no useful purpose would be served by keeping the petitioner behind the bars.

4. Per contra, learned State counsel, opposes the bail. On instructions from ESI Ram Niwas submits that there are total 20 prosecution witnesses, out of which 14 have already been examined. He further submits that the private witnesses have supported the case of prosecution. He further contends that offence against the petitioner is serious in nature.

5. I have heard the rival contentions of the respective learned counsels.

6. In course of hearing, it transpires that prosecution evidence is still going and testimony of just six out of 20 prosecution witnesses remains to be recorded.

7. Given the nature of offence, I am not inclined to grant bail at this stage as possibility of the petitioner influencing the unexamined witnesses can not be ruled out. However, petitioner is at liberty to approach learned trial Court after completion of recording of entire prosecution evidence and learned Court shall be at liberty to entertain the

petition for grant of bail, if so moved, and pass appropriate orders, as it may deem fit. This bail petition is accordingly disposed of.

8. It is made clear that any observations made herein above shall not have any effect on merits of the case as the same are for the limited purpose of deciding the instant bail petition alone and learned trial Court shall proceed in accordance with law without being influenced with this order.

9. Pending application(s), if any, shall also stand disposed of.

04.08.2023

Vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No