

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6399-2024 (O&M)

Date of Decision: 11.03.2024

Vikrant @ Alladdin ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Chanderhas Yadav, Advocate, for the petitioner.
Mr. Ramender Singh Chauhan, AAG, Haryana.

FIR No.	Dated	Police Station	Section/s
284	14.10.2021	Sadar Bahadurgarh, District Jhajjar	120-B, 201, 302, 328, 34 IPC

GURVINDER SINGH GILL, J. (Oral)

CRM-10973-2024

For the reasons mentioned in the application, the same is allowed and the documents annexed with the application i.e. statement and supplementary statement of Manoj Shah, father of the deceased, are taken on record as Annexures P-11 & P-12, subject to all just exceptions.

CRM-M-6399-2024

1. The petitioner seeks grant of regular bail in respect of aforementioned FIR.
2. The FIR in question was lodged pursuant to recovery of a dead body from the drain near Village Sidipur, District Jhajjar. The dead body was

- taken out from the drain in the presence of Jai Kishan, Sarpanch of the village. The dead body was identified by Manoj Shah, father of the deceased. The statement of Manoj Shah was recorded under Section 161 Cr.P.C., wherein he expressed suspicion that his daughter had been done to death by her husband, namely, Vikrant (petitioner) as they were not getting along well and they used to quarrel frequently. Subsequently, another statement of Manoj Shah was recorded on 19.11.2021, wherein he stated that the petitioner, in his presence, had disclosed to the police that he had administered insecticide to the deceased.
3. Learned counsel for the petitioner submitted that the petitioner has been implicated falsely in the present case solely on the basis of suspicion and that in any case when the material PWs i.e. father and mother of the deceased were examined, they have absolutely resiled from their previous statements. It has further been submitted that even the Sarpanch in whose presence the dead body was recovered, has also resiled from his statement.
 4. Opposing the petition, learned State counsel submitted that apparently it is a case where the petitioner has been able to win over the PWs and thus cannot be extended any benefit on account of said witnesses having resiled. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 2 years & 3 months and that he is not involved in any other case.
 5. This Court has considered rival submissions.

6. Without commenting anything as regards the merits of the case, but while noticing that the material witnesses are stated to have resiled and the petitioner, who otherwise has a clean record, has been behind bars for a substantial period of more than 2 years & 3 months, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. It is, however, made clear that none of the observations made above shall be construed to be an expression on merits of the main case.

11.03.2024

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**