

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14167-2024 (O&M)
Date of Decision: 22.04.2024

Dina Nath @ Deena Nath*Petitioner*

Versus

State of Haryana*Respondent*

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: M/s Lekhraj Sharma, Abhishek Sharma, Sharma Raj Kumar,
Mangal Sain, Kabir Gautam, Abhikant Vats, Advocates,
for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

Mr. Prateek Rathee, Advocate, for the complainant.

FIR No.	Dated	Police Station	Section/s
785	10.10.2023	Indri, District Karnal	302, 201 & 34 IPC

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of anticipatory bail in respect of aforementioned FIR.
2. The FIR in question was lodged at the instance of Ritesh @ Ashish son of Rishi Pal, wherein it is stated that his father is an agriculturist and that on 08.10.2023 at about 6:00 AM, his father left home while telling him that he has some errands to attend to and that thereafter his father spoke to him telephonically on 09.10.2023 at about 4:40 PM and told him that he was in market and will return back on the next day. The complainant further stated

that on the same day i.e. 09.10.2023 at about 10:30 PM, his father also spoke to complainant's uncle and told him as well that he will return back the next morning. On the next day i.e. on 10.10.2023, when the complainant called on his father's phone, the same was found to be switched off. The complainant went out in search of his father and looked for him at *Dera* of Dina Nath, but he was not found there. The complainant, however, noticed that a new Mahindra Tractor, a car and a scooter were parked there. The complainant alleged that his father frequently used to visit the *Dera* of Dina Nath and sometimes he used to stay the night there. Later, the complainant came to know that some unknown persons had murdered his father and had thrown his body in dry Aawardan canal. When the complainant reached at the spot, the police had already reached there. The complainant noticed that neck of his father had been cut with some sharp edged weapon and that his hands, legs and neck were tied with a rope and a bedding and blanket were lying nearby. The complainant suspected that his father had been murdered by Dina Nath (petitioner) and his associates.

3. Learned counsel for the petitioner submitted that he has falsely been implicated in the present case solely on the basis of suspicion without there being any evidence to connect the petitioner with the alleged murder of the complainant's father.
4. Opposing the petition, learned State counsel assisted by learned counsel representing the complainant submitted that it is a case where the petitioner is specifically named in the FIR and although he was initially named only on the basis of suspicion, but some evidence has already been collected, which points a finger towards the petitioner. It has been submitted that co-accused

during interrogation have categorically named the petitioner as prime accused and as such, his custodial interrogation would certainly be required to unearth the finer details of the crime. It has also been informed that the petitioner stands involved in other cases as well.

5. This Court has considered rival submissions.
6. The police during the course of investigation apprehended one Suraj Kumar and Parvinder Kumar and during their interrogation, they suffered disclosure statements pursuant to which they got recovered some blood stained clothes and also mobile of the deceased. The cotton used for removing blood stained from the premises of factory of Dina Nath was also recovered. During the course of investigation, call details record pertaining to 4 mobiles of the petitioner was collected, which shows that the petitioner had been in regular touch with co-accused Suraj Kumar (since arrested). The petitioner has a chequered history having been involved in other cases as well. Under these circumstances, this Court does not find that any special case is made out for grant of anticipatory bail to petitioner.
7. The petition is found to be sans merit and is hereby dismissed.

22.04.2024

Vimal

**(GURVINDER SINGH GILL)
JUDGE**

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