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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-14515-2024
Date of decision:-18.04.2024

CHARANJEET SINGH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Gurvinder Singh Sidhu, Advocate for the petitioner.
Mr. Vishal Malik, DAG, Haryana.

SANJIV BERRY, J. (ORAL)

Learned State counsel has filed reply by way of affidavit dated 09.04.2024 of Deputy Superintendent of Police, Kalanwali, District Sirsa along with Custody Certificate dated 17.04.2024, the same are taken on record, copy thereof, have been supplied to the counsel opposite.

2. The instant second petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-2):-

FIR No.	Dated	Sections	Police Station
256	30.07.2023	306, 420, 34 IPC	Kalanwali, District Sirsa

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case on

the allegations that he had introduced the deceased to one Nitu @ Harjit Kaur and has mediated in their marriage. He submits that petitioner has no role to play and has been falsely involved in the case. He submits that petitioner is in custody since 07.08.2023 and challan has already been presented in Court. He submits that the co-accused Reetu Rani has since been granted concession of bail by this Court vide order dated 13.03.2024 passed in CRM-M-5588-2024 (Annexure P-3), as such he prays for grant of concession of bail.

4. *Per contra*, referring to the reply dated 09.04.2024 learned State counsel submits that the petitioner had played active role in the crime as he had introduced the deceased to one Neetu @ Harjit Kaur and got their marriage solemnized and after two days of the marriage said Neetu @ Harjit Kaur left the matrimonial house and did not return back, ultimately said Nirmal Singh @ Nikka committed suicide. He however admitted that co-accused Ritu Rani has since been granted concession of bail vide order dated 13.03.2024 passed in CRM-M-5588-2024 (Annexure P-3).

5. After considering the rival contentions and perusing the record, it transpires that the complainant got recorded the instant FIR stating that his brother Nirmal Singh @ Nikka was persuaded by the petitioner and his colleague, to contact marriage with Neetu @ Harjit Kaur for which the deceased paid ₹75,000/-. After two days of marriage, said Neetu @ Harjit Kuar left the matrimonial house and did not return back and due to this the said Nirmal Singh @ Nikka was upset and later committed suicide. Admittedly, the present petitioner was arrested on 07.08.2023 and after completion of investigation, challan has already been presented in Court

where it is pending trial and out of 23 witnesses cited by the prosecution only 1 has been examined till date. There is not other criminal case registered against the petitioner. It is not disputed that co-accused Reetu Rani has since been granted concession of bail vide order dated 13.03.2024 passed in CRM-M-5588-2024.

6. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

18.04.2024
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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No