



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-54486-2024  
Date of Decision:16.12.2024

Inderjeet Singh @ Rinku ...Petitioner

vs.

State of Haryana ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Arvinder Arora, Advocate  
for the petitioner.

Mr. Arun Kumar, A.A.G., Haryana.

Mr. P.S Sullar, Advocate  
for the complainant.

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N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 200, dated 06.10.2021, registered under Section 346 of IPC (offence under Sections 302,120-B, 34 of IPC added later on), registered at Police Station Shahzadpur, District Ambala (Annexure P-1).
2. Learned counsel for the petitioner contends that as per the prosecution version, Gaurav son of Darshan Lal, complainant was found missing from home on 02.10.2021 and ultimately, one FIR No. 200, dated 06.10.2021, under Section 346 of IPC was registered at Police Station Shahzadpur, District Ambala. During the course of investigation, a dead body/skeleton of Vishal was recovered on 30.12.2021 and again the statement

of complainant (Annexure P-2) was recorded, wherein, the complainant did not raise any suspicion against anyone. After five months i.e. on 26.05.2022, again the supplementary statement of Darshan Lal, complainant was recorded and the petitioner was named in the said statement.

3. Learned counsel for the petitioner further contends that the petitioner was arrested in the present case on 31.12.2023 and is in custody since then. Learned counsel for the petitioner further placed reliance on the order dated 15.10.2024 (Annexure P-9) passed by this Court, whereby the similarly placed co-accused Sahil has been granted the concession on bail and the petitioner is also entitled to concession of bail on the ground of parity also.

4. A reply by way of an affidavit of Deputy Superintendent of Police, Naraingarh, Ambala, District Ambala has been filed on behalf of respondent-State and the same is taken on record.

5. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner had actively participated in the commission of crime. The supplementary statements specifically names the petitioner and the case is listed for prosecution evidence on the next date of hearing. Thus, the petitioner does not deserve the concession of bail by this Court.

6. I have heard the learned counsel for the parties and perused the record carefully.

7. In the present case, the DNA was conducted by FSL Madhuban, however, the said report does not support the case of the prosecution in any manner. Further, the name of the petitioner had appeared in the investigation

after several months and the prosecution is yet to lead evidence to prove the complicity of the petitioner in the commission of crime. The petitioner is stated to be in custody for the last about one year and the similarly placed co-accused namely Sahil has already been granted the concession of bail by this Court.

8. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

16.12.2024  
hitesh

(N.S.SHEKHAWAT)  
JUDGE

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