

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-62856-2023 (O&M)
Date of Decision:-22.10.2024

Kuldeep ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

Mr. Kuldeep Sharma, Advocate for
Mr. R.N. Lohan, Advocate for the complainant.

FIR No.	Dated	Police Station	Section/s
144	6.7.2023	Alewa, District Jind	302, 201, 34 of Indian Penal Code and Section 25 of Arms Act

GURVINDER SINGH GILL, J. (Oral)

- The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
- The FIR was lodged at the instance of Vijender Singh, wherein it is alleged that his son Sukrampal Singh was having some monetary transactions with Kuldeep, who is son of his sister-in-law Murti. It is alleged that on 3.7.2023 his son after taking an amount of Rs.30,000/- from the complainant went to meet his relatives. Later in the night he received a call from his daughter



Kanta, who said that she had received a call from Kuldeep informing her that Sukrampal Singh had sustained some injuries and that he (Kuldeep) was bringing Sukrampal Singh with him to Jind. Thereafter, the complainant also talked to Kuldeep, who also disclosed the same version to him regarding complainant's son having sustained injuries. However, after about 10 minutes, the complainant received a call from his 'Samdhi' Om Parkash, who disclosed to the complainant that Sukrampal Singh had died and that Kuldeep had left his body there. The complainant alleged that he and other members of the family strongly suspected that Sukrampal Singh had been murdered by Kuldeep on account of monetary transactions between them in connivance with Amit, Raja and Mangal.

3. Learned counsel for the petitioner submitted that the allegations as levelled in the FIR are infact based on mere suspicion and that there is no eye-witness to the alleged occurrence. It has further been submitted that the prosecution also banks upon a disclosure statement allegedly made by co-accused Amit and also by the present petitioner, whereas no sanctity can be attached to such like statement.
4. On the other hand, learned State counsel assisted by learned counsel for the complainant has vehemently opposed the petition.
5. Learned counsel for the complainant submitted that pursuant to a disclosure statement made by Amit, he also got the weapon of offence i.e. knife recovered and which would clearly establish the complicity of the accused.
6. Learned State counsel has informed that the petitioner as on date has been behind bars since the last about 1 year, 3 months and 12 days and otherwise is



not involved in any other case. Learned State counsel informed that as many as 8 PWs out of the cited 20 PWs have already been examined.

- 7. This Court has considered rival submissions addressed before this Court.
- 8. It is not in dispute that there is no eye-witness to the alleged occurrence and the case is based on circumstantial evidence. The petitioner has been behind bars for a substantial period of about 1 year, 3 months and 12 days and otherwise enjoys a clean record and is not stated to be involved in any other case. Conclusion of trial is likely to consume time inasmuch as only 8 PWs out of the cited 20 PWs have been examined so far. Under these circumstances, further detention of the petitioner will not serve any useful purpose.
- 9. 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.

22.10.2024
Pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No