



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

273

CRM-M-65398-2024 (O&M)
Date of Decision:- 21.05.2025

GAJRAJ

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sanjeev Kodan, Advocate for the petitioner.

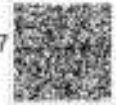
Mr. Vipul Sherwal, AAG Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
423	08.11.2023	306 IPC	Sadar Sonipat, Haryana

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the version of the FIR itself is doubtful as on 26.09.2023, when the deceased expired, his brother had made a statement (Annexure P-4) recorded vide G.D. No.29 dated 26.09.2023 that they do not want any action nor want the post mortem to be conducted but later on with some ulterior motive got registered the FIR on the statement of sister-in-law of the



deceased. He further contends that although in the FIR, the petitioner along with other co-accused were named, however, after the completion of investigation, only the petitioner has been challaned. He submits that the petitioner is in custody since 30.05.2024 and the conclusion of trial will take sufficient long time. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition on the ground that there are specific allegation against the petitioner of having abetted the suicide committed by the deceased. He submits that considering the gravity of the offence, the petitioner does not deserve the concession of bail. Thus, prays for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that on 26.09.2023, a telephonic information regarding suicide committing by Dharamnath @ Dharmender was received by the police and on reaching the hospital, the brother of the deceased moved an application requesting not to conduct the post mortem and not to take any action against any person. However, on 08.11.2023, the complainant moved a complaint to the police, wherein she stated that her son has found a video recording in the phone of deceased wherein the names of persons responsible for abetting the suicide by deceased were disclosed. Accordingly, FIR was registered and the petitioner was arrested on 30.05.2024. After the completion of investigation, challan has been presented in Court, wherein the prosecution



has cited 35 witnesses, however, none has been examined till date. The petitioner is not having any criminal antecedents and the criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate 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.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

21.05.2025
S.Sharma(syr)

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