



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-4713-2025

Date of Decision:-31.01.2025

Ajay @ Golu.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Himanshu Joshi, Advocate for the Petitioner.

Mr. Viney Phogat, Deputy Advocate General, Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this fourth petition under section 483 BNSS, 2023 is for the grant of regular bail in case FIR No.0327 dated 13.09.2021 under Sections 302 and 34 IPC (later on added Section 120-B, 364, 201 IPC registered at Police Station Nagal Chaudhary, District Mahendergarh.

2. The present FIR came to be registered at the instance of Suman and reads as under:-

“ Sir, it is submitted that I, Suman wife of Vijay, caste Ahir, am resident of Paneda Police Station Paniala District Jaipur and living in relationship with Manish son Harkesh caste Khati resident of Mandari Rajasthan in Nangal Chowdhary along with my children. About 15 years ago Vijay son of Dinaram caste Ahir, resident of Paneda brought me from Ranchi. From whom I have two children, eldest girl Shivani aged 11 years and boy Dipanshu aged 09 years. Vijay used to beat me after drinking alcohol, due to which about 04 years ago I started living in Nangal Chowdhary with my children.



Where I and Manish became friends, I have been living with Manish I Nangal Chowdhary for the last 04 years. Since a year back, Ballu @ Balwant Yogi, a resident of Rampura, Rajasthan used to visit our house, whom I used to treat my religious brother. My husband Vijay and Ballu Nangal Chowdhary were coming to my house from the last 3-4 days, the intention of both of them was not good. I was suspecting that they had intended to kill Manish. On 12.09.2021 Manish and I returned home from a neighbourhood birthday party at around 7.00 PM. After sometime my husband Vijay and Ballu came home and took Manish out of the house by holding his hand to talk about something. After sometime, when Manish's call came on my phone, I heard Manish's muffled voice on the phone, so I feared that both of them might do something wrong with Manish. I also told about this to my neighbour Chiman Lal as well. Later I came to know that Manish was killed by slitting his throat near Chowdhary Hotel, Narnaul Road, Mohanpur (No. Chowdhary) Manish was killed by Vijay son of Dinaram, resident Paneda, my husband and Ballu @ Balwant Yogi resident of Rampura by slitting his throat. Legal action may be initiated agaisnt them. Sd/- Suman applicant Suman wife of Vijay Singh."

3. During the course of the investigation the petitioner Ajay @ Gollu was arrested don 20.09.2021 and got recovered the knife and motor cycle used in the commission of the offence as well as mobile phone of the deceased Manish.
4. The learned counsel for the petitioner contends that other than the statement of the co-accused there is no admissible evidence against the petitioner. As he was in custody since 20.09.2021, he was entitled to the concession of bail.
5. On the other hand, the learned State counsel contends that this is the 4th bail application of the petitioner the last having been withdrawn as



recently as on 16.01.2025. As 24 of the 26 prosecution witnesses stands examined and the next date of hearing is 06.02.2025, no ground for grant of regular bail was made out and therefore, the present petition was liable to be dismissed.

6. I have heard the learned counsel for the parties.

7. As per the prosecution case, the petitioner is one of the main accused. The knife used in the occurrence along with two motor cycles have been recovered at his instance. The Trial is at its fag end as many as 24 of the 26 prosecution witnesses having been examined. The instant is the 4th bail application of the petitioner, the third one having been dismissed as withdrawn as recently as on 16.01.2025. The instant petition has been filed without any change in circumstances.

8. In view of the aforementioned facts, I do not deem it appropriate to grant him the concession of regular bail and the present petition is dismissed.

9. On account of repeated filing of petitions without any change in circumstances, a cost of Rs.10,000/- is imposed upon the petitioner which shall be deposited forthwith with Punjab and Haryana High Court Bar Association Account No.65035682434 State Bank of India, High Court Branch, IFSC Code SBIN0050306. The compliance/non compliance thereof shall be reported by the Registry within a fortnight.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 31, 2025

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>