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Piare Lal Vs. the State

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Court : Delhi

Decided On : Apr-22-1983

Reported in : 24(1983)DLT92

Judge : H.L. Anand, J.

Acts : Code of Criminal Procedure (CrPC) , 1973 - Sections 439

Appeal No. : Criminal Miscellaneous (Main) Appeal No. 252 of 1983

Appellant : Piare Lal

Respondent : The State

Advocate for Pet/Ap. : K.R. Sud and; S.T. Singh, Advs

Judgement :

H.L. Anand, J.

(1) Petitioner seeks bail pending trial on a charge of murder. His co-accused which were his wife and a friend who was a police constable are already on bail. The petitioner is said to be a member of the Scheduled Caste who has a clean record of service in the Central Government as a Section Officer. It is stated that there is no direct evidence of the commission of the crime. Prosecution strongly relics on the motivation provided by the circumstance that the victim had illicit relations with the daughter of the petitioner and was responsible for disrupting her matrimonial

alliance with someone settled abroad. The marriage has since been broken. It is stated that the victim has at one stage been arrested in connection with proceedings pending against him in Punjab, where he is alleged to have defrauded a large number of people in conducting a racket for employment abroad. This line of investigation has apparently not been pursued. The petitioner is said to have a serious colic condition. His only ion is posted in a remote place in U.P. and his request for transfer to Delhi has not been acceded to. It is further claimed that the only person who claims to have seen the petitioner, the co-accused and the victim last together i.e. Mulakh Raj was examined as late as.January 3, 1983 while the incident is said to have taken place on December 14, 1982. Having regard to all the circumstances, I direct that the petitioner be admitted to bail on furnishing a personal bond in the sum of Rs. 5000.00 with one surety in the like amount to the satisfaction of the trial court. dusty.

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