

State Vs. Arun Rana

C.Gen. No. BA/1928/2020
CNR No.PBLD010063272020
Date of order: 20.3.2020

FIR No. 1 of 2.1.2019
U/s 302/201/120-B IPC
P.S. Dugri, District
Ludhiana.

Present: Sh. G.S.Bedi, Advocate, for
accused/applicant Arun Rana
Sh. S.S.Latala, Addl. PP for the State.

O R D E R:

Main file pending for today is perused. Heard on this application for regular bail moved by accused/applicant Arun Rana in the aforesaid FIR case.

2. Ld. Counsel for applicant argued that the applicant has been falsely implicated. There is no motive part against the applicant. The applicant is not even remotely connected with the alleged occurrence. Conclusion of trial will take time. Nothing is to be recovered from the applicant. Hence the prayer to admit applicant to regular bail when there is no apprehension of his absconding from the trial proceedings.

3. Ld. Addl. PP for the State opposed the bail application submitting that there are serious allegations of murder against the

applicant and therefore, he is not entitled to regular bail and prayed that this application may be dismissed in view of gravity of offence involved.

4. Version of prosecution in nutshell is that on 1.1.2019, one person in burnt condition near City Centre Bhagat Singh Nagar aged about 32 years was got admitted in Civil Hospital Ludhiana vide 108 Ambulance and thereafter he was referred to new DMC Hospital and it came into picture that name of injured is Ditesh Sethi @ Deepak son of Lakshmi Dass. Inspector Gurbachan Singh alongwith SHO PS Dugri alongwith Sunil Kumar and other Police Officials moved to Hospital to record the statement of injured on the vehicle PB-CB-0400 alongwith Duty Magistrate Sh. Puneet Mohinia JMJC Ludhiana. Separate application to enquire about the condition of injured was moved. And legal opinion was also sought from the said he Magistrate recorded concerned his concerned Doctor by Sh. Puneet Mohinia, JMJC Ludhiana statement after obtaining the opinion from Doctor in which he stated that he went to the office of his friend Arun Rana at about 8 PM and they both of them took drink together and thereafter he did not remember anything and no other person had accompanied them at that time. Thereafter the statement of mother of injured namely Madhu Sethi wife of Lakhshmi Dass who met in the hospital was got recorded in which she stated that she is a household lady and on 31.12.2018 at about 8.50 PM he had left the house by saying that he is going to meet his friend Arun Rana. She had a firm belief that his friend Arun Rana had tried to kill his son Dipesh Sethi by burning him and reason behind

the occurrence is that Arun Rana was having love affair with her daughter in law namely Ramandeep Kaur @ Harshita @ Cherry. On the basis of these facts FIR under section 307 IPC was registered. On 4.1.2019 one ruqa number 56760 dated 4.1.2019 was received in the Police Station that injured Deepak Sethi had been died. Offence u/s 302,201 IPC was added. On 9.1.2019 Vikas Khanna son of Joginder Khanna resident of # 2/72 Subash Nagar New Delhi got recorded his statement that Dipesh Sethi @ Deepak who is his cousin brother, usually came to meet him. Thereafter, illicit relations developed between wife of Dipesh Sethi namely Ramandeep Kaur @ Harshita @ Cherry with one neighbour namely Arun Rana. They tried to make her understand but she was unable to understand. In due course the applicant was arrested.

5. The above summarized facts and contents of FIR reveals that as per the contents of FIR, the deceased and the applicant on 1.1.2019 at about 8.00 PM both were together and had drinks and there was none else with them at that time. The deceased in his statement suffered on 2.1.2019 before the Ld. Magistrate stated that after taking drinks, he was not aware of anything. The mother of the deceased and one Vikas Sharma suffered statements before the police that due to illicit relations between the applicant and the wife of deceased, the applicant in connivance with Ramandeep Kaur had committed the murder of the deceased. The contention of Ld. Counsel for the applicant that as per report of FSL, no poison was detected in the contents of exhibits but this contention of Ld. Counsel for the applicant

is without any substance as the deceased in his dying declaration has alleged that he was in the company of the applicant and both took drinks and thereafter he was not aware of anything. Moreover, the manner of committing the crime against the applicant and non-applicant are grave and serious in nature. Moreover, Ld.Addl.PP specifically alleged that applicant may tamper with prosecution witnesses and flee from justice if he is ordered to be released on bail. Hence keeping in view of the grave nature of the offence as well as above reasons applicant do not deserve to be released on bail. Accordingly this second bail application is ordered to be dismissed. File be tagged with main file and same be returned to Ahlmad forthwith.

Pronounced in open court.

20.3.2020

Rajinder Pal,
Stenographer-I

(Muneesh Arora),
Addl. Sessions Judge,
Ludhiana (UID No. PB-0135)