

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

CRM-M No.28769 of 2014

Date of Decision: 13.08.2015

Rohit Walia

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Preetinder S. Ahluwalia, Advocate for the petitioner.

Mr. Kuldip Tiwari, Additional Advocate General, Haryana
for the respondent.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail in case FIR No.14 dated 08.01.2014, under Sections 498-A, 304-B and 34 of IPC registered with Police Station Baldev Nagar, Ambala.

The petitioner/accused-Rohit Walia was married to deceased-Rachna on 27.02.2009 and out of their wedlock, two minor daughters were born. The deceased-Rachna was found hanging in her matrimonial home on 08.01.2014 resulting into filing of the aforesaid FIR by the mother-in-law/complainant of the petitioner. The two minor daughters are admitted to be residing in the parental home of the petitioner.

As per the allegations, there was a demand for dowry and on the date of the death, a demand of Rs.17,000/-, which was received in the Kitty Party in the preceding night by the wife.

Learned Counsel for the petitioner submits that all the material witnesses have since been examined and the transcription of the version of the deceased-wife with his alleged paramour along with written apology tendered by the wife in the presence of her parents have since been verified from the FSL and have been found to be authentic and, therefore, he submits that the possibility of committing suicide by the deceased-Rachna cannot be ruled out.

Learned State Counsel, on instructions from ASI Suresh Kumar, does not refute the aforesaid factual position and further states that the aforesaid two documents have since been brought on record by the prosecution by filing the supplementary challan.

Without commenting upon the merits of the case, keeping in view the custody period and the facts of the case as noticed above, this Court finds that petitioner/accused-Rohit Walia deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Ambala.

Disposed of.

August 13, 2015

Gagan

(JASWANT SINGH)
JUDGE