

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

CRM-M-29635-2015

Date of decision: 11.09.2015

Rinku

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. J.S. Bhatti, Advocate
for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.396 dated 10.12.2014 under Sections 498-A, 304-B, 34 IPC, registered at Police Station Meham, District Rohtak.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He further submits that it is a matter of record that wife of the petitioner committed the suicide and that too at the house of her father. He also refers to a judgment (Annexure P-8), whereby petitioner was acquitted in an earlier FIR No.327 dated 17.09.2012 under Sections 498-A, 406, 34 IPC lodged at the instance of same complainant. Learned counsel for the petitioner would next contend that in view of the compromise (Annexure P-5) and receipt (Annexure P-4), no case would be made out against the petitioner. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from HC Dhanna Ram, Police Station Meham, Rohtak, submits that petitioner is the main accused being the husband. Allegations against the petitioner are direct and serious. It was the unending lust of the petitioner and his parents which forced the deceased to take extreme step and she committed suicide. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that keeping in view the totality of facts and circumstances of the case, noticed hereinabove, petitioner has not been found entitled for the concession of bail pending trial. It is so said because petitioner is the main accused, being the husband. Allegations against the petitioner are serious. So far as the evidentiary value of Annexures P-4, P-5 & P-8 is concerned, that will be considered by the learned trial Court, during the course of trial.

In view of the above and without commenting anything further on merits at this stage, lest it prejudice the rights of either of the parties, this Court is of the considered view that no case for bail pending trial is made out.

Dismissed.

[RAMESHWAR SINGH MALIK]
JUDGE

11.09.2015
vishnu