

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-1182 of 2016

Date of decision : 21.04.2016

Rajender

... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Ms. Mahima Yashpal, AAG Haryana

Mr. Sanjiv Kumar Aggarwal, Advocate
for the complainant

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 274 dated 26.09.2015 registered at Police Station Barauda, District Sonipat under Sections 304-B/34 IPC.

Learned counsel for the petitioner contends that petitioner is the father-in-law. He further states that it was a love marriage and the deceased was a teacher employed on contract basis in Delhi but due to change of Government, she was removed from service. He also states that husband was working in Merchant Navy at Bombay and the couple stayed together in Bombay and the girl had returned few days ago. He further states that petitioner's wife had died and the petitioner is a retired Government employee. He further states that investigation is over and challan has been presented. He states that father and brother have been examined and the child left behind by the deceased is being looked after by the neighbours and the complainant side did not come forward to take the child. He further states that no call records were collected by the police to

show that any call had been made by the girl prior to the incident.

The bail application is opposed by the State as well as complainant side. It was urged that besides the father and brother there is one more brother who is yet to be examined. It was urged that it was a case of dowry death and the girl had died an unnatural death in the matrimonial home within three years of marriage.

It is not disputed that the petitioner is a retired Government employee. The petitioner's son is in custody. The grand child of the petitioner is being looked after by the neighbours.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

April 21, 2016
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(ANITA CHAUDHARY)
JUDGE