

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-22142 of 2016 (O&M)

Date of Decision: 08.7.2016

Pawan Mutreja

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. S.K.Arora, Advocate
for the petitioner.

Mr. Sharad Kumar Yadav, DAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 152 dated 9.5.2015 registered at Police Station Civil Lines, Sonipat under Section 304-B IPC.

Counsel for the petitioner contends that the petitioner is in custody since 9.5.2015 and the main witnesses had been examined and the trial Court has wrongly dismissed the application without any material to show that there were chances of his absconding and the personal liberty cannot be taken away. It was urged that the parents of the petitioner were residing separately and the couple were residing separately in a rented accommodation and they had given a complaint to the District Magistrate regarding her behaviour and she had threatened to falsely implicate them. Reliance has been placed on '*Vinod Bhandari versus State of M.P. 2015(1) RCR (Criminal) (SC) 932*'.

The petition has been opposed by the State counsel. State

counsel submits that the merits of the case are not to be gone into and out of

12 witnesses, prosecution has already examined 9 witnesses and the case is at the final stages.

It is well settled that the merits of the trial are not to be gone into while deciding a bail application. The only consideration is the seriousness of the allegations and the period of custody. It is the duty of the prosecution to take all possible steps to expedite the trial. Though, the trial Court has dismissed the bail application for other reasons but I find no case for grant of bail. The accused is charged of having committed a serious offence. The trial is proceeding at a fast pace. The case is at the final stages.

Petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

July 08, 2016
Gurpreet