

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

CRM-M-27504 of 2015

Date of Decision:29.08.2016

Sumit alias Sonu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS.JUSTICE RITU BAHRI.

Present: Mr.Dalip Kumar Tuteja, Advocate,
for Mr.N.C.Kinra, Advocate,
for the petitioner.

Ms.Mahima Yashpal, AAG, Haryana.

Mr.Nishant Bhardwaj, Advocate,
for Mr.N.L.Sammi, Advocate,
for the complainant.

RITU BAHRI, J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No.118 dated 23.03.2014, registered at Police Station Old Sabji Mandi, Rohtak, who has been booked for having committed the offence punishable under Sections 304-B, 120-B and 34 IPC.

As per allegations, the youngest daughter Sonia of complainant-Bijender Kumar Jain was married with the brother of the petitioner on 20.01.2014. She died on 23.03.2014 after hanging herself within about two months of her marriage. As per allegations made in the FIR, she was being harassed by her in-laws on account of bringing less dowry. It has been specifically stated by the complainant that in the presence of the mediator and his wife, he had given Rs.1.50 lacs to Jeth and

Jethani of the deceased so that she will not be maltreated by them. This is

the only specific allegation against the present petitioner. After investigation, challan was presented on 22.05.2014 and charges were framed on 07.07.2016. On a specific query, learned counsel for the State on instructions from HC Ram Mehar has informed that there is no evidence that Rs.1.50 lacs was given to the petitioner or his wife. He further states that mother-in-law and sister-in-law(Jethani) of the deceased were found innocent and were kept in column No.2 of the challan. There are total 18 witnesses, out of which, five have been examined and thirteen are yet to be examined. The trial is not likely to conclude.

The petitioner is in custody since 14.04.2014.

Keeping in view the period of incarceration of the petitioner, this Court feels that there is no need to detain the petitioner any longer.

Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail during the pendency of the trial of the present case, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Rohtak.

August 29, 2016
seema

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No