

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

**CRM-M No. 32331 of 2016
Date of decision : 16.9.2016**

Arjun

.....Petitioner

v.

State of Haryana

.....Respondent

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present : Mr. Yogesh Goyal, Advocate, for the petitioner

Mr. Himmat Singh, DAG, Haryana

Ritu Bahri J. (Oral) :

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 137 dated 14.6.2016 under Sections 498A and 304B IPC, registered at Police Station Khol, District Rewari.

Brief facts of the case are that marriage of the petitioner was solemnized with Savita in the year 2009 and from this wedlock, one son and one daughter were born, who are aged about 6 years and 3½ years respectively and residing at the house of his grand parents. Urmila-sister of deceased Savita was married to Bhim Singh, brother of petitioner-Arjun. The petitioner is working in BSF whereas another Jeth- Sandeep of deceased Savita is working in the Indian Army. There is no evidence with regard to the fact that Savita was in depression. She had jumped into a dried well, suffered injuries and has died. As per the allegations in the FIR, the present petitioner harassed her and was having

illicit relations with one Nepali girl. After investigation, challan was presented in the court and charges have since been framed and trial is at the stage of recording prosecution evidence. There are 12 witnesses in the list of witnesses. On asking a specific question, the learned State counsel has informed the Court that there is no evidenced with regard to illicit relationship of the petitioner with Nepali Girl. Moreover, as per the suicide note in the police file, she has not levelled any direct allegation against the petitioner.

I have heard learned counsel for the parties and with their able assistance gone through the material available on record.

The petitioner was arrested on 16.6.2016. Since then he is in judicial custody and no useful purpose would be served to further detain him in jail. The final conclusion of the trial will take a long time.

In view of the above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Rewari.

Needless to mention that nothing observed herein above, would reflect on merits in the trial of the main case, in any manner.

(RITU BAHRI)
JUDGE

16.9.2016
Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No