

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-37437 of 2015

Date of Decision: 22.01.2016

Vijender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rakesh Nehra, Advocate for the
petitioner.
Mr. Gaurav Dhir, DAG, Haryana.
Mr. Gorakh Nath, Advocate for the
complainant.

JASWANT SINGH, J (Oral)

Prayer is for grant of regular bail on behalf of accused-
Vijender in case FIR No.404 dated 20.12.2014 under Sections
147,149,304-B IPC registered at Police Station, Adampur.

The marriage of the petitioner-Vijender with Poonam
Rani (since deceased), was solemnized on 06.12.2014. As per
the allegations levelled by the complainant-Ram Singh (father of
the deceased Poonam), the in-laws including the husband had
killed their daughter on account of non-fulfilment of demand of
dowry, as on 20.12.2014, she was brought dead in the Medical
College on account of poisoning.

It is submitted that the deceased Poonam had hardly
stayed for five or six days in the short span and was upset on
account of her previous engagement for almost a year having

been broken. It was on account of her being dissatisfied with life over a previous broken relationship with her earlier fiancée, she committed suicide, as is apparent from the suicide note left behind by the deceased. As per the FSL report, the suicide note has been found to be authentic wherein it is specifically stated that no one should be blamed for her death and all her in-laws are very good natured. It is further submitted that except a bald statement made by the complainant, there is no material regarding any demand of dowry. In fact, it is the petitioner, who is the victim of a forced marriage by the parents of the deceased Poonam and is stated to be in custody since 22.12.2014.

Learned counsel for the complainant points out that there are injuries on the neck of the deceased Poonam Rani.

In response, learned counsel for the petitioner submits that Poonam (since deceased) had consumed the poison/organo phosphorus, therefore, even as per the testimony of the Doctor, the injuries/abrasions could be caused by the finger nails due to acute feeling of breathlessness.

Learned State counsel, on instructions from ASI Amrit Pal, submits that 31 witnesses out of 32 already stand examined and, therefore, the petitioner is not entitled to grant of bail, at this stage.

Without commenting upon the merits of the case and taking into account the custody period and the fact that the trial is not going to be concluded in near future, no useful purpose would be served by putting the petitioner behind bars any

further.

Accordingly, present petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Hisar.

January 22, 2016
manoj

(JASWANT SINGH)
JUDGE