

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

Criminal Misc. No. M- 11866 of 2017(O&M)

Date of Decision: May 30 , 2017.

Mam Chand PETITIONER(s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Deepender Singh, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

The petitioner is the father-in-law of the deceased. He prays for the concession of bail pending trial in FIR No. 506 dated 29.12.2015 under Sections 304B/34 IPC registered at Police Station Bilaspur, District Gurgaon, Haryana.

It is submitted that the petitioner has been implicated in this case merely because of his relationship with the deceased. Similar allegations were raised against the mother-in-law and the sister-in-law (Devrani) of the deceased however, they were found innocent during investigation. An application under Section 319 Cr.P.C. for summoning the said accused has also been dismissed.

There are no specific allegations qua the present petitioner to single him out.

General and vague allegations have been raised in the FIR qua the petitioner. The material witnesses in this case including the complainant have since been examined before the learned trial court. The husband of the deceased i.e., the petitioner's son is in custody. The petitioner is in custody since 10.03.2016 and he is not involved in any other case. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from ASI Rajinder Kumar, while opposing this petition submits that there are specific allegations of demand of dowry qua the petitioner. It is however not denied that the mother-in-law and the sister-in-law (Devrani) of the deceased against whom similar allegations are raised, were found innocent during investigation. Application under Section 319 Cr.P.C. to summon them is affirmed to have been dismissed. It is further verified that the petitioner is not involved in any other criminal case.

The petitioner is in custody since 10.03.2016. Trial in this case is not likely to conclude in the near future. Material witnesses including the complainant have been examined. There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by Mam Chand is allowed. The petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely

confined for the purpose of decision of the present petition.

May 30 , 2017.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No