

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

CRM-M-15659 of 2017(O&M)

Date of decision : 09.08.2017

Mahendra

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. A.K.Goyal, Advocate
for the petitioner.

Mr.Anmol Malik, AAG, Haryana.

LISA GILL,J(Oral)

Petitioner seeks the concession of bail pending trial in FIR No. 654, dated 14.12.2016, under Sections 376, 406, 120-B IPC and Section 3 and 4 of the Dowry Prohibition Act, Police Station City Panipat, District Sonapat.

It is submitted that the petitioner has been falsely implicated in the above said FIR. In-fact, it is a case of a relationship of gone sour. Admittedly, the complainant and the petitioner were engaged to be married. However, the relationship did not fructify. Learned counsel submits that it is on this account that the petitioner has been involved in the above mentioned case. Moreover, the prosecutrix (PW-1) has not supported the prosecution case while deposing before the learned trial Court on 26.07.2017.

Certified copy of the statement dated 26.07.2017 produced before the Court today, is taken on record subject to all just exceptions.

The alleged victim-complainant (PW-1) stated that she was engaged with

the petitioner. She further stated that neither the petitioner or any other co-accused violated her person or hatched any conspiracy for obtaining dowry nor misappropriated any dowry articles. The prosecutrix has been declared hostile. Partial cross-examination by Public Prosecutor was conducted.

Learned counsel for the State is unable to deny the above said factum of the prosecutrix not supporting the case before the learned trial Court.

It is verified that the petitioner is not involved in any other criminal case. There is no allegation that the petitioner is likely to abscond or influence witnesses in any manner. He has been in custody since January, 2017. Trial in this case is not likely to conclude in the near future. No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner 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 reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

09.08.2017

s.khan

(LISA GILL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable: Yes/No