

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

**Crl. Misc. No. M-17725 of 2017 (O&M)
Date of Decision : September 26,2017**

Raj SinghPetitioner

Versus

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

...

Present: Mr. Amit Gupta, Advocate
for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

...

LISA GILL, J. (Oral)

CRM-31049-2017

Application is allowed. Annexures P-6 and P-7 are taken on
record subject to just exceptions.

CRM-M-17725-2017

The petitioner, who is the father-in-law of the deceased, seeks
the concession of bail pending trial in FIR No. 121 dated 03.06.2016 under
Sections 201, 34, 306 IPC registered at Police Station Sadar, District
Yamunanagar (Haryana).

It is submitted that the deceased and her husband were living

separately from the petitioner. Marriage of the deceased and the petitioner's son took place in the year 2007. Two children were born out of this wedlock. There was never any complaint of ill-treatment or harassment of the deceased till the unfortunate incident on 02.06.2016. Moreover, PW2 Satish Kumar specifically stated that he informed the complainant about the death of his daughter. The complainant, his wife and other relatives were present at the time of cremation. The petitioner it is submitted has been in custody since September 2016. The complainant and the other material witness Satish Kumar have since been examined before the learned trial Court. Therefore, the present petition be allowed.

Learned counsel for the State while opposing this petition submits that the complainant has specifically stated that his daughter was cremated surreptitiously without any intimation to him. However, it is not denied that the petitioner has been in custody since September 2016 and the complainant as well as PW2 Satish Kumar have testified before the learned trial Court. It is further verified, on instructions from ASI Jasbir Singh, Police Station Sadar, District Yamunanagar, that the petitioner was living separately from the deceased and his son though in the same locality. The petitioner is not reported to be involved in any other criminal case. There are no allegations that 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. 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-Raj Singh

be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

None of the observations made here-in-above shall be construed to be a reflection on merits of the case and shall have no bearing on trial.

26.09.2017
rupi

(LISA GILL)
JUDGE

Note: Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No