

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-19217 of 2017
Date of Decision: 1.6.2017

Sawan

---Petitioner

versus

State of Haryana

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. R.S.Hooda, Advocate
for the petitioner

Mr. Vikas Malik, DAG, Haryana

Rekha Mittal, J.

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short "Cr.P.C.") in FIR No. No. 332 dated 14.8.2015 for offence punishable under Sections 304-B, 302 read with Section 34 of the Indian Penal Code (in short "IPC") registered at Police Station Rai, District Sonapat.

Counsel for the petitioner has submitted that during subsistence of matrimony for a period of six years and four months, the deceased never made any complaint with regard to demand of dowry or harassment in connection thereof. The material witnesses in the case namely Sundri and Nand Kishore parents of the deceased have already been examined on 1.3.2017 and they failed to support cause of the prosecution. Co-accused in the case namely Saroj, mother of the present petitioner was allowed bail by this Court vide order dated 20.3.2017

passed in CRM-M- 43398 of 2016.

Counsel for the State has not disputed factual assertions but opposed the prayer for bail.

I have heard counsel for the parties and perused the paper book.

Be that as it may, parents of the deceased have failed to stand by their earlier version with regard to any harassment to the deceased in connection with demand of dowry. Conclusion of trial is likely to take some more time. The petitioner is entitled to bail on the principle of parity as well.

Without commenting upon merits of the case, bail to the petitioner subject to satisfaction of the trial court. However, he shall abide by the following conditions:-

- (i)He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- (ii)He shall not leave the limits of this country without prior permission of the Court.

Petition stands disposed of.

(Rekha Mittal)
Judge

1.6.2017
PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No