

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

**CRM-M-19990-2017
Date of decision: 30.10.2017**

Deepak

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jarnail S. Saneta, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 1008 dated 31.10.2016, under Section 498-A IPC (Section 304-B IPC added later on), registered at Police Station Sadar Karnal, District Karnal.

It is contended that the petitioner has been in custody since 13.12.2016 and the FIR has been registered on the statement of Manjeet, who died later. It is also contended that a reading of the statement, given by Manjeet, would not reflect that any offence under Section 498-A is made out as the statement does not reveal that there was any demand for dowry. It is further contended that the trial is being delayed on account non-appearance of the witnesses despiteailable warrants being issued for a sum of Rs. 10,000/-

Per contra, learned counsel for the respondent-State submits that the statements of brother and uncle of the deceased are yet to be

recorded.

I have heard learned counsel for the parties and in view of the fact that the petitioner has been in judicial custody since 13.12.2016 and the trial is being delayed on account of non-appearance of the witnesses, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

30.10.2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No