

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

**CRM-M No.2128 of 2017
Date of Decision: 02.03.2017**

Ramkesh

.... Petitioner

Versus

State of Haryana

.... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. A. S. Sullar, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana
for the respondent-State.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks regular bail in FIR No.449 dated 18.05.2016 registered under Section 306 IPC, at Police Station Civil Lines, Rohtak, District Rohtak, Haryana.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner has been in custody for about 9 months; all the material witnesses have been examined and thus there is no chance for the petitioner to tamper with any evidence; there is no other criminal case pending against him; he has two minor children who are being looked after by their grand parents and since 09 prosecution witnesses still need to be examined, the trial is not likely to conclude in the near future.

Learned State counsel opposes the grant of bail on the ground that the harassment and beatings on the part of the petitioner led his wife to commit suicide.

Whether the petitioner abetted his wife to commit suicide is debatable and would be decided only during the trial; 09 prosecution witnesses remain to be examined and thus the trial is unlikely to conclude in the near future; he has two minor children to look after; there is no other criminal case pending against him and that the petitioner has been in custody for about 09 months.

In view of the above, I am of the view that the petitioner deserves to be admitted to regular bail during the pendency of the trial on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

Nothing observed hereinabove shall be considered to be an expression of opinion by this Court on the merits of the case.

In case, the petitioner is found indulging in any other criminal activity/misusing the concession of bail, it will be open to the State to move an appropriate application before the Competent Court/this Court for cancellation of the granted bail to the petitioner through this order.

March 02, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No