

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-215-2017

Date of Decision:- 17.02.2017

Amit @ Monu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Dinesh Arora, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

RITU BAHRI, J. (Oral)

Present petition is for release of petitioner on regular bail in FIR No.118 dated 23.03.2014, under Section 304-B, 120-B and 34 IPC, registered at Police Station Old Sabji Mandi, District Rohtak.

Learned counsel for the petitioner submits that the marriage of Sonia (daughter of complainant) with petitioner was solemnized on 20.01.2014 and she died by hanging on 23.03.2014. It was a second marriage of the deceased. The regular bail has been declined to the petitioner only on the ground that he can pressurize the witnesses as the main witnesses are still to be examined.

Learned State counsel, on instructions from the investigating officer, has informed that out of 18 prosecution witnesses, 12 have been examined till date.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

Perusal of order dated 01.06.2016 (Annexure P-3) shows that application filed by the complainant under Section 193 Cr.P.C. had been dismissed whereby accused Kiran and Shaveta sought to be summoned as additional accused. Moreover, once application under Section 319 Cr.P.C. has been dismissed, the only allegation with regard to abetment of suicide pertains to conduct of the petitioner, who is a husband. In reply to application under Section 319 Cr.P.C, a specific stand has been taken by the petitioner that his wife suffering from psychiatric problem much prior to the marriage and she was getting the medicines prescribed by doctor as per Ex.D1, which meant for depression.

The petitioner was arrested on 23.03.2014. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. The final conclusion of trial will take a long time.

In view of above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Rohtak.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

February 17, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No