

Criminal Misc. M- No. 21551 of 2017 (O&M)

Date of decision : July 07, 2017

Sudesh alias Sonu

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Ram Pal Verma, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

Prayer is for bail pending trial to the petitioner in FIR No. 299 dated 21.08.2016 registered under Sections 304B, 34 IPC at Police Station Rai, District Sonapat.

It is submitted that the petitioner, who is the brother-in-law (Nandoi) of the deceased has been falsely implicated in this case solely because of his relationship. The petitioner is stated to be living separately in the State of Uttar Pradesh. He has nothing to do with the affairs of the deceased and her in-laws. Furthermore, the material witnesses i.e. PW1 Suresh Pal, PW2 Naresh uncles of the deceased as well as PW3 Satya Prakash i.e. the complainant and the father of the deceased have not supported the prosecution version. All these witnesses have denied that the deceased was subjected to any kind of ill-treatment in her matrimonial home. The petitioner, it is submitted, is in custody since 06.09.2016. It is further submitted that the co-accused Madan Pal (father-in-law of the deceased) has been afforded the benefit of bail pending trial by this Court

on 18.05.2017 in CRM-M No. 9342 of 2017. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions, from ASI Ramesh Kumar affirms and verifies that the petitioner was living separately in Uttar Pradesh. It is further affirmed that the material witnesses i.e. PW1, PW2 and PW3 have not supported the prosecution version. It is verified that the petitioner is not involved in any other criminal case. Trial in this case is not likely to conclude in the near future.

There are no allegations on behalf of the State 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 be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

July 07, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No