

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-2238 of 2017

Date of Decision: 14.2.2017

Dinesh

---Petitioner

versus

State of Haryana

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Sumit Sangwan, Advocate
for the petitioner

Ms. Dimple Jain, AAG, Haryana

Rekha Mittal, J.

The petitioner prays for grant of regular bail in FIR No. 164 dated 13.5.2016 registered at police station, Sadar Sonapat, District Sonapat for offence punishable under Section 306 read with Section 34 of the Indian Penal Code (in short "IPC").

Counsel for the petitioner has submitted that on completion of investigation challan has been presented and two witnesses have been examined. It is further argued that as per allegations brought forth by the deceased victim before her death, she consumed sulphas as the petitioner and her mother purportedly refused to return the amount of Rs. 12 lakhs allegedly handed over to Dinesh for getting her allotment of two plots. According to counsel, it is a moot point to be decided during trial if the allegations raised would constitute abetment of suicide. The last submission made by counsel is that conclusion of trial is likely to take its own time and the petitioner is ready to face proceeding, in accordance with

law.

Counsel for the State has not disputed factual assertions but opposed the prayer for bail with the submission that the petitioner is the main accused in the case.

I have heard counsel for the parties and perused the records.

The petitioner is in custody for the past about nine months. As has been rightly argued by counsel for the petitioner, there is a serious issue if in the circumstances of the present case, the petitioner can be attributed offence of abetment of suicide. There is no allegation against the petitioner that he is likely to flee from the process of justice in case enlarged on bail.

Without commenting on merits of the controversy, lest it may cause prejudice to either of the parties during trial, the petitioner is ordered to released on bail subject to his furnishing bail bonds to the 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.

Disposed of accordingly.

It is clarified that nothing stated hereinbefore would construe as an expression of opinion on merits of the case.

(Rekha Mittal)
Judge

14.2.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No