

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

**CRM No. M-24777 of 2017(O&M)
DECIDED ON : 19.07.2017**

Jiwan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. G. S. Nahel, Advocate,
for the petitioner.

Mr. H. S. Grewal, Addl. AG, Punjab.

ANUPINDER SINGH GREWAL, J.(ORAL)

The petitioner is seeking regular bail in FIR No. 47 dated 29.04.2017 under Sections 376/511/354-B/498-A/506/120-B IPC registered at Police Station Moonak, District Sangrur.

Learned counsel for the petitioner contends that the allegations against the petitioner, who is husband of the complainant, are that he had instigated his brother to commit the offence and had demanded dowry. He further contends that the brother of petitioner is married to the sister of complainant and they all are residing together in a joint family. It is further contended that the petitioner is in custody for more than two months and the marriage between the petitioner and complainant took place in the year 2000. However, marriage of petitioner's

brother with complainant's sister was solemnized in the year 2010 and therefore, the allegations that the petitioner demanded dowry, appears to be false inasmuch as in the eventuality of the petitioner having demanded dowry from the family of complainant, they would not have married their other daughter to the brother of complainant.

Learned State counsel has filed custody certificate today in court which indicates that the petitioner is in custody ever since his arrest on 01.05.2017.

Learned State counsel does not controvert learned counsel for the petitioner on the factual aspects.

In view of the submissions made by learned counsel for the petitioner and in view of the fact that petitioner is already in custody for more than two and a half months, the petition is allowed. The petitioner Jiwan Kumar is ordered to be released on bail subject to his furnishing bonds to the satisfaction of trial Court/ Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

JULY 19, 2017
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1. Whether speaking/reasoned : YES/NO
2. Whether reportable : YES/NO