

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

Crl. Misc. M-26021 of 2017 (O&M)
Date of Decision: December 11, 2017

Shayar Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanjay Vashisht, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. S.S. Mor, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.339 dated 01.06.2017, under Sections 304-B, 34 of Indian Penal Code (subsequently converted to Sections 306, 498-A of IPC by deleting Section 304-B of IPC), registered at Police Station City Bhiwani, District Bhiwani.

On the last date of hearing, the matter stood adjourned, so that an effort can be made to record the statement of sister of the deceased.

This court is informed that the statement of the complainant i.e.

father of the deceased has already been recorded and he has been subjected to cross-examination as well. It is also submitted that the deceased was in her parental home at the time when she committed suicide and this was on account of the fact that she had interest elsewhere. It is stated that photographs of this have already been put to the father of the deceased in his cross-examination. It is contended that the petitioner herein was taken into custody in the aforesaid FIR on 10.06.2017. It is also contended that the petitioner is falsely implicated in the present case, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, counsel for the complainant opposes the grant of regular bail, while stating that another material witness has to be examined i.e. sister of the deceased, who is married to the brother of the petitioner.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer also opposes the grant of regular bail, however, does not dispute the fact that statement of complainant has already been recorded.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 10.06.2017 and that statement of the complainant has already been recorded, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate, subject to the condition that in case, the

petitioner approaches the sister of the deceased, they are at liberty to approach this court for cancellation of his bail.

December 11, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No