

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-2669 of 2017

Date of Decision: 29.3.2017

Narender

---Petitioner

versus

State of Haryana

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Narender Pal Bhardwaj, Advocate
for the petitioner**

Mr. Vikas Malik, DAG, Haryana

Rekha Mittal, J.

The petitioner prays for grant of regular bail in FIR No. 370 dated 3.11.2015 registered at Police Station, Sadar Gohana, District Sonapat for offence under Section 304-B read with Section 34 of the Indian Penal Code (in short "IPC") though charge has also been framed under Sections 306 and 498-A read with Section 34 IPC.

Counsel for the petitioner would contend that the victim (since deceased) committed suicide though she remained alive from the date of occurrence on 21.10.2015 till 3.11.2015 but did not record any statement indicting the petitioner or any other member of her in-laws family. It is further submitted that the instant FIR was lodged by father of the deceased on 3.11.2015 when his daughter expired. The complainant was examined in the Court and he has deposed in his examination in chief that he was not in his full senses while signing the complaint Ex. PW 8/B and he signed the

complaint without knowing its contents meaning thereby that the complaint was not submitted at his instance. Another submission made by counsel is that the petitioner is in custody since 3.11.2015 and conclusion of trial is likely to take its own time as the prosecution has already moved an application for summoning mother-in-law as an additional accused under Section 319 of the Code of Criminal Procedure and the same is pending. The deceased left behind one child and he is residing with family of the petitioner.

Counsel for the State has opposed the prayer for bail with the submission that in view of gravity of allegations that the deceased died within four years of her marriage, the petitioner does not deserve to be enlarged on bail.

I have heard counsel for the parties, perused the paper book and the police records.

On a pointed query raised by the Court, counsel for the State, on instructions from ASI Azad Singh has apprised the Court that the deceased refused to make a statement when she remained confined in the hospital for a period of 13 days. It has further been apprised to the Court that the deceased was cremated at the place of her in laws. Co-accused in the case namely Satbir, father in-law of the deceased has already been released on bail by this Court.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner 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

(iii)He shall not leave the limits of this country without
prior permission of the Court.

Petition stands disposed of.

(Rekha Mittal)
Judge

29.3.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No