

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

**CRM No.M-2686 of 2017
Decided on: 07.04.2017**

Vinod Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. P.K. Ganga, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.10 dated 04.04.2016 for offence punishable under Section 306 read with Section 34 of the Indian Penal Code (in short 'IPC') registered in Police Station GRP Sirsa, District Sirsa.

Counsel for the petitioner has submitted that the FIR has been registered at the instance of Dalip Singh, father of deceased – Kamlesh and as per the allegations, Mukadar – younger brother of Wazir husband of the deceased had an evil eye over Kamlesh and used to pressurize her for having illicit relations and he (Mukadar) had been further pressurizing Kamlesh to develop illicit relations with Vinod Kumar (petitioner herein). It is further argued that Kamlesh had been residing at her parental house when she allegedly committed suicide by jumping before a train. It is argued that neither Mukadar nor any other member of family of in-laws of Kamlesh has been indicted in the crime, though the complainant has raised allegations against her parents-in-law and Mukadar as well. The petitioner is in custody since 16.05.2016

and conclusion of the trial may take long time.

Counsel for the State while opposing the prayer for bail would submit that Vinod developed illicit relations with the deceased but refused to perform marriage with her or to liberate her and for that reason, she committed suicide. 03 out of 30 witnesses cited by the prosecution have been examined.

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

The petitioner is in custody for the past about 11 months. The prosecution till date has examined only 03 witnesses out of 30 cited in the list of witnesses. There is no allegation against the petitioner that he is likely to flee from the process of justice in case enlarged on bail. Conclusion of the trial is likely to take its own time; without commenting upon merits of the case, the petitioner is ordered to be 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, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and*
- (ii) He shall not leave India without the previous permission of the Court.*

07.04.2017
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(REKHA MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No