

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

Criminal Misc. No.M- 30071 of 2017(O&M)

Date of Decision: December 1 , 2017.

Anil Kumar PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Prabhjeet Singh Sullar, Advocate
for the petitioner.

Mr. Sanjay K.Saini, AAG, Haryana.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.114 dated 16.04.2016 under Sections 498A/304B/34 IPC registered at Police Station Sadar Dadri, District Bhiwani.

It is submitted that the petitioner has been falsely implicated in this case. All members of the in-laws' family of the deceased i.e., the parents-in-law, brother-in-law and his wife as well as the present petitioner were named by the complainant in the FIR. It is further submitted that all accused except the petitioner and his mother (i.e., the mother-in-law of the deceased) were found

innocent during investigation. Application under Section 319 Cr.P.C. filed for summoning the said accused, who were found innocent, was dismissed by the learned trial court. The said order has been upheld by this Court in CRR No.3971 of 2016 vide order dated 27.07.2017 (Annexure P2). Learned counsel for the petitioner submits that the deceased in this case was afforded all love and affection in the matrimonial home. There is nothing on record to show that she was subjected to ill-treatment or harassment since her marriage in August, 2014 till the date of unfortunate incident i.e., 14.04.2016. The petitioner himself had admitted his wife i.e., the deceased in hospital so that the best medical treatment be afforded to her. Moreover, the material witnesses including the complainant as well as the mother of the deceased have since testified before the learned trial court. The petitioner has been in custody since 28.04.2016. He is not involved in any other criminal case. It is thus prayed that this petition be allowed.

Heard learned counsel for the parties.

Learned counsel for the State, on instructions from HC Anil Kumar, verifies that the complainant as well as mother of the deceased have since testified before the learned trial court. It is further verified that the petitioner is not involved in any other criminal case.

Trial in this case is not likely to conclude in the near future. There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this

petition filed by Anil Kumar is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

December 1 , 2017.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No