

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

Crl. Misc. M-31261 of 2017 (O&M)
Date of Decision: December 18, 2017

Deepak

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sant Lal Barwala, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

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.94 dated 28.03.2017, under Sections 304-B, 34 of Indian Penal Code, registered at Police Station Sadar Jind, District Jind.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 28.04.2017. It is submitted that the occurrence of the deceased hanging herself had taken place on 14.02.2017, on which date the father of the deceased suffered a statement that the petitioner herein was working in a building material shop in Delhi and he has been out for almost 15-20 days, while further submitting that he had no idea as to why his daughter committed suicide. It is argued that there is 45 days delay in registering the FIR, while also submitting that

the complainant is not coming forth to have her statement recorded, despite three opportunities having been given.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer opposes the grant of regular bail, while submitting that the offence alleged against the petitioner is serious in nature.

I have heard learned counsel for the parties.

The trial is likely to take some time, as the complainant was given three opportunities by this court to have her statement recorded before the trial court and she has failed to appear. Prima facie it appears that she is intentionally delaying the trial and therefore, no useful purpose would be served in keeping the petitioner behind bars, who has been in custody since 28.04.2017. 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.

December 18, 2017

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(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No