

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

**Criminal Misc. No.M- 31965 of 2017(O&M)**

**Date of Decision: November 17 , 2017.**

Ajit ..... PETITIONER (s)

**Versus**

State of Haryana ..... RESPONDENT (s)

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

Present: Mr. Manoj K.Tanwar, Advocate  
for the petitioner.

Mr. Sanjay K.Saini, AAG, Haryana.

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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?

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**LISA GILL, J.**

The petitioner prays for bail pending trial in FIR No.58 dated 08.04.2017, under Sections 306/34 IPC registered at Police Station Kosli, District Rewari.

It is submitted that the petitioner has been falsely implicated in this case at the instance of the complainant, who is the brother of the deceased. The petitioner and the deceased were married for 13 years at the time of the unfortunate incident. There is nothing on record to show that the deceased was

ever harassed or subjected to ill-treatment during this period of 13 years. The abovesaid FIR was registered after an unexplained delay of five days, which further casts a doubt on its veracity. Moreover, it is submitted, that the sister of the deceased is married to the real brother of the petitioner. She is residing peacefully in her matrimonial home. Final report under Section 173 Cr.P.C, it is submitted, has since been presented. Charge against the petitioner has been framed. He is not involved in any other criminal case. Therefore, it is prayed that this petition is allowed.

Learned counsel for the State, on instructions from HC Suresh Kumar, verifies that the final report under Section 173 Cr.P.C. has been presented and charge framed. It is not denied that the real sister of the deceased is married to the real brother of the petitioner.

The petitioner is not reported to be involved in any other criminal case. He is in custody since 10.04.2017. 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 Ajit 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.

November 17 , 2017.  
'om'

( LISA GILL )  
JUDGE

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