

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-321-2017

Date of decision : 10.03.2017

Jaan Mohammad

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. Namit Khurana, Advocate,  
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana  
for the respondent-State.

**JITENDRA CHAUHAN, J. (Oral)**

The instant petition has been preferred under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.114 dated 05.09.2016, registered under Sections 304-B, 201 and 406 of the Indian Penal Code, at Police Station Khizrabad, District Yamuna Nagar.

Contentends that the petitioner is the married brother-in-law of the co-accused, Saleem husband of the deceased, Mefreen. The allegation in the present FIR is with regard to demand of dowry. Though the petitioner has been residing in the same compound along with the co-accused, Saleem but is having a separate kitchen. The petitioner could not have been the beneficiary even if any dowry is given. The petitioner is in custody since 16.09.2016. Challan has been presented. Out of total 15 witnesses, none has so far been examined and the trial is not likely to be concluded in the near future.

On the other hand, learned State counsel has opposed the instant petition. The fact that the petitioner though resides in the same

compound but maintains a separate kitchen is duly acknowledged by the learned State counsel, on instructions. However, he states that there are specific allegation of demand of dowry against him.

Heard.

In view of the above facts, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

**10.03.2017**  
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**(JITENDRA CHAUHAN)**  
**JUDGE**

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|-------------------------------|-----|----|
| Whether speaking / reasoned : | Yes | No |
| Whether Reportable :          | Yes | No |