

Criminal Misc. No. M- 32723 of 2017 (O&M)

Date of decision : September 25, 2017

Parmod Jain

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Navneet Singh, Advocate
for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

LISA GILL, J.

The petitioner, who is the father-in-law of the complainant, prays for bail pending trial in FIR No. 299 dated 25.05.2016 under Sections 419, 420, 498A, 406, 120B IPC registered at Police Station Sohna, District Gurgaon.

It is submitted that the petitioner's first application for bail pending trial was withdrawn on 25.05.2017 as the petitioner sought to approach the learned Additional Sessions Judge, Gurgaon for the relief after presentation of the final report/challan in this case. It is submitted that there are general allegations against the petitioner, which are not substantiated by the evidence on record. Moreover, the petitioner has lost his son i.e. the complainant's husband on 04.07.2017. The petitioner has been in custody since 06.04.2017. Final report under Section 173 Cr.P.C./challan has been presented. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions from ASI Surjeet Singh, verifies that final report under Section 173 Cr.P.C./challan has since been presented. It is further verified that the petitioner's son has passed away on 04.07.2017. No recovery is to be effected from the petitioner, who is not reported to be involved in any other criminal case.

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

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, 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 reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

September 25, 2017
rts

(Lisa Gill)
Judge

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