

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

CRM M-33092 of 2017.

Date of Decision: 09.11.2017.

Sandeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Pradeep Virk, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG Haryana.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 Cr.P.C seeking bail in case FIR No.168 dated 05.05.2016 registered under Section 304-B read with Section 34 IPC at Police Station Murthal.

Learned counsel for the petitioner contends that there is a history of suicide in the family of the deceased/wife Navita. Earlier, brother of the deceased, Naveen committed suicide. The custody of the minor child of the deceased brother Naveen was given to deceased/wife of petitioner, Navita and her sister Shaveta. The allegations against the petitioner are that he has been pressuring his wife Navita to transfer the property held by the minor nephew Mayanak, son of late Naveen. A statement of sister of the deceased has been recorded wherein she has stated that in fact, the custody of the minor child son of Naveen was given to the petitioner and his wife Navita. The amount of Rs.28.5 lakh

allegedly received against the land acquisition was transferred in the name of the child.

From the above, it is asserted that the sister of the deceased and the complainant have a motive to frame the petitioner. The relationship between the petitioner and his deceased wife were cordial which is made out from the fact that the petitioner made her his nominee against the insurance cover. The marriage in question took place on 26.06.2012. The petitioner is in custody since 15.05.2016.

Reply in the matter has been filed. The learned State counsel states that the statement of Shaveta to the extent that custody of Mayanak was handed over to petitioner and his late wife Navita is contrary to record. The complainant has been examined.

Heard.

Considering the above contentions and taking into consideration the custody period, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

09.11.2017.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No