

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

Crl. Misc. M-34330 of 2017 (O&M)
Date of Decision: November 24, 2017

Ravi Garg

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S.K. Garg Narwana, Senior Advocate
with Mr. Karan Garg, Advocate
for the petitioner.

Mr. A.S. Dhaliwal, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

CRM-29377-2017

Allowed as prayed for, subject to all just exceptions.

Main case

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.164 dated 25.10.2016, under Sections 304-B, 34, 120-B of Indian Penal Code (while filing the challan offence under Sections 304-B, 34, 120-B of IPC have been deleted and Section 306 of IPC has been added) registered at Police Station Samana, District Patiala.

Learned senior counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 26.10.2016.

It is argued that in the investigation that was conducted by the police, there was no demand of dowry established, however, the Investigating Officer came to the conclusion that petitioner used to taunt his wife regarding defect in her arm. It is submitted that out of this marriage of 2011, two minor children are in their parental home and only have their grand-parents to look after them. It is also contended that out of total 23 witnesses, 01 witness has been examined and the trial is likely to take some time to conclude, therefore, petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer, opposes the grant of regular bail, while submitting that out of total 23 witnesses, 01 witness has been examined.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 26.10.2016 and out of total 23 witnesses, 01 witnesses has been examined, no useful purpose would be served in keeping the petitioner behind bars. 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.

November 24, 2017

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No