

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

CRM-M-35260 of 2017(O&M)

Date of decision : 29.09.2017

Suraj

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Ram Pal Verma, Advocate
for the petitioner.

Mr.Sanjay K. Saini, DAG, Punjab.

LISA GILL,J(Oral)

Petitioner seeks the concession of bail pending trial in FIR No. 299 dated 21.08.2016, under Sections 304-B, 34 IPC, registered at Police Station Rai, District Sonipat.

It is submitted that the allegations raised in the FIR are not substantiated by any evidence and they are totally baseless. Moreover, the material witnesses in this case including the complainant-Satya Parkash (PW-3), have not supported the prosecution case. Reference is made to the statements of PW-1-Suresh Pal, PW-2 Naresh (uncles of the deceased) as well as complainant-Satya Parkash (PW-3) attached with this petition as Annexure P-1, collectively. PW-3-Satya Parkash, the complainant has specifically stated that his daughter (since deceased) was never harassed by any of the accused on account of demand of dowry and neither are they responsible for her death. Therefore, this petition be allowed.

Learned counsel for the State is unable to deny that the said material witnesses have not supported the prosecution version.

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 in the Court, if released on bail.

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.

29.09.2017

s.khan

(LISA GILL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable: Yes/No