

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

Crl. Misc. M- 35335 of 2017 (O&M)
Date of Decision: September 26, 2017

Sant Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. D.S. Khurana, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.133 dated 23.03.2017, under Section 304-B of Indian Penal Code, registered at Police Station Shahabad, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 23.03.2017. It is urged that the death took place after a period of six years of marriage and out of the wedlock, two children were born. It is further submitted that statements of the complainant and other witnesses have been recorded and they have not supported the prosecution version, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the bail application. However, she is not able to deny the fact that complainant and other witnesses have not supported the case of the prosecution.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the fact that the complainant and other witnesses have not supported the case of the prosecution, no useful purpose would be served in keeping the petitioner behind the custody. 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.

(JAISHREE THAKUR)
JUDGE

September 26, 2017
prem

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No