

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

CRM-M-36360-2017 (O&M)
Date of decision : 03.11.2017

Ritesh Kaushik

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Amanullah and Mr. Misbah Bin Tariq, Advocates,
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.447 dated 02.06.2017, registered under Section 306 read with Section 34 of the Indian Penal Code, at P.S. Saran, District Faridabad.

Contents that the petitioner has been falsely implicated in the instant case. The marriage in question was solemnized in the year 2000. There is no previous complaint against the petitioner with regard to any matrimonial dispute. He is in custody since 02.07.2017.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits that ligature mark was noticed around the neck of the deceased in the post-mortem report, however, the recovery of the same could not be effected from the spot but subsequently during investigation, the dupatta was recovered at the instance of the petitioner. The challan stands presented and the matter is now fixed for framing of charges.

Heard.

Keeping in view the facts that the marriage in question was more than 17-year old, the challan has been filed, the petitioner is in custody since 02.07.2017 and the conclusion of trial may take a considerable time as the charges are yet to be framed, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

03.11.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No