

**Criminal Misc. No. M- 39604 of 2017 (O&M)**

Date of decision : December 08, 2017

Parvesh Kumar

.....Petitioner

Versus

State of Haryana

....Respondent

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL**Present: Mr. Diwan S. Adlakha, Advocate  
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

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**LISA GILL, J.****CRM No. 39249 of 2017**

Prayer in the application is for placing on record statements of PW1 and PW5 as Annexures P-6 and P-7. The same are taken on record subject to just exceptions. Filing of certified and true typed copies thereof are exempted.

Application is disposed of.

**Criminal Misc. No. M- 39604 of 2017 (O&M)**

The petitioner prays for bail pending trial in FIR No. 143 dated 10.07.2017 under Section 306 IPC registered at Police Station Chhappar, District Yamuna Nagar.

It is submitted that no offence punishable under Section 306 IPC is made out against the petitioner, who was married with the deceased in the year 2006. Two children were born out of this wedlock. Both the children are being looked after by the petitioner's family. Moreover, the complainant (PW1) i.e. the brother of the deceased as well as the mother of the deceased (PW5) have not supported the prosecution version while

deposing before the learned trial Court on 20.11.2017. Copies of their statements are attached as Annexures P-6 and P-7 with this petition. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State is unable to deny that the complainant as well as the mother of the deceased have not supported the prosecution version. The petitioner is not involved in any other criminal case.

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.

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.

December 08, 2017  
rts

**(Lisa Gill)**  
**Judge**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No