

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-40246-2017

Date of decision: 01.11.2017

Pawan Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Naresh Kumar, Advocate for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Pawan Kumar, has prayed for grant of regular bail in case FIR No. 416 dated 10.04.2016 registered under Sections 302, 307, 309 and 328 IPC at Police Station City Panipat, District Panipat.

2. According to the prosecution, the petitioner had consumed some poisonous substance and also administered the same to his three minor daughters being fed up having no money for the operation of his youngest daughter, namely; Mafi. During medical treatment, one of his minor daughter-Yeti, aged about 3 years had died, on account of administering of poison by the petitioner.

3. Learned counsel for the petitioner contends that the material witnesses have turned hostile during trial and there is every likelihood of acquittal of the petitioner. Thus, no useful purpose would be served in detaining the petitioner in jail.

4. On the other hand, learned State counsel vehemently opposed the bail to the petitioner.

5. Considering the hostility of the material witnesses during trial which is not disputed by learned State counsel, the petitioner deserves the concession of regular bail.

6. Thus, without expressing any opinion on the merits of the case, petitioner-Pawan Kumar, is ordered to be released on bail pending trial, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, Panipat.

November 01, 2017

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No