

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

**CRM-M-40830-2017
Date of decision: 06.11.2017**

Ajay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajesh Bansal, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 138 dated 18.03.2017, under Section 306 IPC (Section 304-B IPC added later on), registered at Police Station Gharaunda, District Karnal.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in judicial custody since the date of his arrest i.e. 12.05.2017. In fact, it is the petitioner who went to the police and lodged the FIR on finding that his wife had committed suicide. It argued that in fact, suicide was committed on account of the pressure that was exercised by Parmod Kumar and his family members to compromise the matter (in FIR No. 469 dated 19.08.2016, in which it had been stated that Parmod Kumar had committed rape upon Sanjana-deceased). It is contended that the marriage was of the year 2008 and the offence under Section 304-B IPC would not be attracted. It is also argued that the minor daughter of the petitioner needs his attention as she is

undergoing medical treatment at PGIMER, Chandigarh and the father of the petitioner too is suffering from blood cancer.

Ms. Gaganpreet Kaur, AAG, Haryana, has appeared on behalf of respondent-State and contested the bail application. She opposes the grant of regular bail to the petitioner in general.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 12.05.2017 and the trial is likely to take some time and, moreover, the minor children of the petitioner are in his hope and require his attention, no useful purpose would be served in keeping the petitioner in custody furthermore. Hence, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

06.11.2017

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No