

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

Criminal Misc. No.M- 41935 of 2016(O&M)

Date of Decision: March 15 , 2017.

Satyawan PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Sanjeev Kodan, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.0514 dated 14.06.2016 under Sections 304B/34/498A IPC registered at Police Station Jhajjar, District Jhajjar.

It is submitted that petitioner is the father-in-law of the deceased. There is no specific allegation against the petitioner to attract the offences punishable under Sections 304B/34/498A IPC. It is argued that present is, in fact, a case of accidental death due to electrocution when the deceased was hanging a wet piece of cloth on an iron wire in the open compound of the house. Reference is made to the report Ex.PW1/A submitted by the Senior Scientific Assistant. It has come on record that it had rained in the morning of

the day of occurrence and the Kutcha floor was wet. It is further submitted that there is no instance of any complaint whatsoever which may have been raised against the petitioner since marriage of the deceased with the petitioner's son, which was solemnized about two years prior to the alleged incident. The deceased was living happily in her matrimonial home alongwith the minor child and there was no dispute between the parties. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Ranbir Singh, has opposed this petition while submitting that clear allegations are levelled against all the accused persons. The petitioner's daughter-in-law had died an unnatural death within seven years of her marriage.

Heard learned counsel for the parties.

It is not denied that the petitioner is in custody since 14.07.2016. No recoveries are to be effected from him. It is also not denied that the complainant did not turn up for testifying before the court on 08.03.2017. The trial is not likely to conclude in the near future as only one witness out of sixteen has been examined so far.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the other witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances but without commenting upon or expressing any opinion on the merits of the case, this petition filed by Satyawar is allowed. The petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to

the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case and the same are confined for the purpose of decision of the present petition only.

March 15 , 2017.
'om'

(**LISA GILL**)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No