

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

Criminal Misc. No.M- 42183 of 2016(O&M)

Date of Decision: December 18 , 2017.

Sunder PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Deepak Vashishth, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

CRM No.39243 of 2017

Annexure P3 i.e., the statement of the complainant suffered before the learned trial court is taken on record subject to just exceptions. Exemption from filing true typed copy thereof is afforded.

Misc. application is disposed of.

CRM No.M-42183 of 2016

The petitioner prays for bail pending trial in FIR No.246 dated 08.10.2015 under Section 304B IPC, registered at Police Station Sadar Narwana,

District Jind.

It is submitted that the petitioner has been falsely implicated in this case. The complainant in this case i.e., the mother of the deceased had herself left her husband's home about 15 years earlier. The deceased had been brought up by her father and grandfather and they solemnized her marriage with the petitioner. Moreover, the petitioner's mother while trying to save her daughter-in-law i.e., the deceased suffered 60% burn injuries. She was admitted at PGI, Rohtak on 08.10.2015 and discharged on 17.12.2015. The complainant and the material witnesses in this case have since testified before the learned trial court. The petitioner, it is submitted, has been in custody since 13.10.2015 and is not involved in any other criminal case. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Kulwant Singh, verifies that the petitioner's mother indeed suffered 55% to 65% burn injuries in the said incident. She remain admitted from 08.10.2015 to 17.10.2015 at PGIMS, Rohtak. It is not denied that the complainant and material witnesses in this case have testified before the learned trial court. The petitioner is not reported to be involved in any other criminal case.

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

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition filed by Sunder is allowed. 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 clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

December 18 , 2017.
'om'

(**LISA GILL**)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No