

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

CRM-M No. 43102 of 2016(O&M)

Date of decision: 5.4.2017

Manoj Kumar

....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

REKHA MITTAL, J.(Oral)

The petitioner prays for grant of regular bail in FIR No.346 dated 31.05.2016 registered with Police Station Sadar Palwal, District Palwal for offence punishable under Sections 304-B, 201 of the Indian Penal Code, 1860 (in short 'IPC').

Counsel for the petitioner has submitted that the material witnesses in the case have already been examined, therefore, there is no possibility of the petitioner tampering with the evidence, in case released on bail. It is further submitted that the complainant in the case namely Mam Chand, brother of deceased Radhika was examined on 28.03.2017 and has not raised any allegations with regard to demand of dowry or harassment to the deceased in connection thereof. Further argued that as per testimony of Mam Chand, Radhika was not happy with her marriage; remained in depression and committed suicide on 31.05.2016. The last submission made by counsel is that the petitioner is ready to face the proceedings, in accordance with law.

Counsel for the State, on the contrary, has submitted that only two official witnesses remain to be examined and evidence of the prosecution is likely to be concluded shortly. It is further submitted that keeping in view the gravity of allegations against the petitioner, husband of the deceased who died almost after one year of marriage, is not entitled to be released on bail.

Counsel for the petitioner has produced certified copies of statements of Sandeep PW-1, Ravinder Singh PW-2, ASI Sanjay Kumar PW-3, EHC Sunil Kumar PW-4, Vinod Kumar Singh PW-5, Dr. Gagan PW-6, ASI Khem Chand PW-7, Mam Chand PW-8, Angad PW-9 and same are taken on record. Perusal of testimonies of Mam Chand (complainant) PW-8 and Angad (uncle of the deceased) PW-9 would evident that they have not supported case of the prosecution. Conclusion of trial is likely to take its own time.

Without meaning to express any opinion on merits of the case, the petitioner shall be released on bail subject to furnishing bail bonds to the satisfaction of the trial Court. However, he shall abide by the following conditions:-

- (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him/her from disclosing such facts to the Court;
- (ii) he shall not leave India without previous permission of the Court.

APRIL 5, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no