

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

Date of decision: 30.1.2017

1. **CRM-M No. 46323 of 2016(O&M)**

Piyush BatraPetitioner

VERSUS

State of HaryanaRespondent

2. **CRM-M No. 1829 of 2017(O&M)**

Parveen KumarPetitioner

VERSUS

State of HaryanaRespondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Akshay Bhan, Senior Advocate with
Mr. Parveen Kaushik, Advocate and
for the petitioner-Piyush Batra.

Mr. Akashdeep Singh, Advocate
for the petitioner-Parveen Kumar.

Mr. Vikas Malik, DAG, Haryana.

Mr. Sunil Chaudhary, Advocate for the complainant.

REKHA MITTAL, J.(Oral)

This order will dispose of CRM-M No.46323 of 2016 and CRM-M No.1829 of 2017 as these have emerged out of FIR No.111 dated 11.04.2016 registered with Police Station Bhiwani City, District Bhiwani for offence punishable under Sections 306 read with Section 34 of the Indian Penal Code, 1860 (in short 'IPC') . However, the facts are taken from CRM-M No.46323 of 2016.

Counsel for the petitioner has submitted that the petitioner is stated to have some business dealings with son of the victim who remained missing for some time as he was unable to discharge his business commitments. It is further submitted that on completion of investigation, challan was presented in the Court and the material witnesses namely the complainant, his daughter and son were examined in the case but they have not supported the prosecution version. It is further argued that the petitioners are ready to face the proceedings, in accordance with law, without any default.

Counsel for the State as well as counsel for the complainant have conceded to this position that the witnesses examined in the case have not supported the prosecution case. However, counsel for the State has submitted that report of Forensic Science Laboratory with regard to suicide note allegedly left behind by the deceased has been received and it has been reported that the said note was scribed by the deceased. Nevertheless, it has been conceded that a similar role has been attributed to both the petitioners.

Concededly, trial is in progress before the Court below. Material witnesses already examined failed to support the prosecution version. The petitioners are ready to face the proceedings subject to conditions imposed by this Court. There are no allegations that the petitioners are likely to flee from process of justice, if enlarged on bail.

Without commenting upon merits of the case, petitioners Piyush Batra and Parveen Kumar shall be released on bail subject to

furnishing bail bonds to the satisfaction of the trial Court. However, they shall abide by the following conditions:-

- (i) they 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) they shall not leave India without previous permission of the Court.

JANUARY 30, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

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