

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

**CRM No.M-4868 of 2017
Date of decision: 20.02.2017**

Raj Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

REKHA MITTAL J. (Oral)

The petitioner pray for grant of regular bail in FIR No.343 dated 27.08.2016 registered at Police Station Sadar Dadri, District Bhiwani, for offence punishable under Sections 498-A, 304-B read with Section 34 of the Indian Penal Code (in short 'IPC).

Counsel for the petitioner would contend that the complainant – Kuldeep, father of deceased Nainsi has raised general and vague allegations that Nainsi was tortured by Sachin – husband, Nitin – brother of Sachin, Raj Singh – father-in-law (petitioner herein), Saroj Bala – mother-in-law, Manju, Sarita, Neeraj and Jyoti – sisters-in-law. It is further submitted that on completion of investigation, challan has been presented against the husband and parents-in-law whereas Nitin – brother-in-law, Manju, Sarita, Neeraj and Jyoti – sisters-in-law were exonerated. It is further submitted that a similar role has been attributed to Saroj Bala – mother-in-law but she has been enlarged on bail by the trial Court vide order dated 20.01.2017. It is further

submitted that the trial Court without drawing any distinction between the case of the present petitioner viz-a-viz that of Saroj Bala, mother-in-law has dismissed his prayer for grant of bail. It is further submitted that the material witnesses in the case have already been examined, therefore, there is no possibility of the petitioner tampering with the prosecution evidence in case enlarged on bail, when otherwise the petitioner is ready to face the proceedings, in accordance with law.

Counsel for the State has not disputed the factual assertions but states that only official witnesses including doctors remain to be examined and the case is fixed for 28.02.2017 for remaining evidence of the prosecution.

I have heard counsel for the parties and perused the paperbook particularly the allegations raised in the FIR.

Be that as it may, material witnesses in the case have already been examined. The mother-in-law of the victim to whom a similar role has been attributed has already been allowed benefit of bail by the trial Court. Conclusion of the trial may take some time even if only the official witnesses remain to be examined. Without commenting upon merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds to the satisfaction of the trial Court. However, he shall remain bound by the following conditions:-

- 1. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*

2. *He shall not leave India without previous permission of the Court.*

(REKHA MITTAL)
JUDGE

20.02.2017
yakub

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