

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

CRM-M No. 490 of 2017(O&M)

Date of decision: 15.2.2017

Jai Bhagwan @ Buntty

....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Aman Dhir, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

REKHA MITTAL, J.(Oral)

The petitioner prays for grant of regular bail in FIR No.449 dated 10.09.2016 registered with Police Station Sampla, District Rohtak for offence punishable under Sections 307, 498-A, 323 read with Section 34 of the Indian Penal Code, 1860 (in short 'IPC') (offence under Section 302 IPC added later).

Counsel for the petitioner has submitted that on completion of investigation, challan has been presented in the Court and conclusion of trial is likely to take its own time. It is further submitted that the petitioner along with his wife Sonia, one of the persons named in the FIR, has been residing separately from in-laws family of the deceased as reflected in ration card (Annexure P-4). It is further submitted that at the time of occurrence Sonia was seven months pregnant and she filed an application for grant of bail in anticipation of arrest and interim bail has been granted to her vide order dated 21.11.2016 (Annexure P-2). It is further submitted that as per allegations brought-forth by the victim in her statement recorded under Section 164 Cr.P.C., she has not attributed any role to the petitioner with regard to the act of setting her on fire that led to her death

after 10 days of the alleged occurrence on 10.09.2016. The last submission made by counsel is that the petitioner has a permanent place of stay and is ready to face the proceedings, in accordance with law, without any default.

Counsel for the respondent-State has opposed the plea for bail with the submission that in view of gravity of allegations against the petitioner, he is not entitled to bail.

I have heard counsel for the parties and perused the paper-book.

A copy of the statement of victim Reena recorded on 10.09.2016 by Judicial Magistrate Ist Class, Rohtak has been made available during the course of hearing. As per the allegations, the victim was beaten by her mother-in-law Kamla, brothers in law— Sonu and Brijmohan, Bunt (petitioner herein), his wife Sonia and Hari Mohan, husband of the victim. Thereafter her mother-in-law sprinkled oil and devar - Sonu set her on fire but no one extinguished the fire. Challan has already been presented in the Court.

As conclusion of the trial is likely to take some time, without commenting upon 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.

FEBRUARY 15, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned :

yes/no

Whether reportable :

yes/no