

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

**CRM No. M-5964 of 2017
Date of decision: 02.06.2017**

Baljeet

..... Petitioner.

Versus

State of Haryana

..... Respondent.

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Amit Kumar Goyal, Advocate, for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

The petitioner prays for grant of bail pending trial in FIR No. 349 dated 10.10.2016 registered under Sections 306 read with Section 34 of the Indian Penal Code (for short 'IPC') at Police Station Sadar, Gohana, District Sonapat.

It is submitted that the petitioner is being implicated merely on the basis of a suspicion, which the complainant seems to have. As per the allegations in the FIR, the complainant's daughter i.e. the petitioner's wife committed suicide on 10.10.2016 on account of harassment meted out to her by the petitioner and in-laws for not bearing a child. It is submitted that no complaint, whatsoever had ever been lodged prior to the said occurrence. Furthermore, the material witnesses i.e. the complainant as well as his nephew have since testified before the learned trial Court. PW-2, the complainant has admitted that they had no quarrel with the family of the accused till the occurrence of this unfortunate incidence. No complaint, whatsoever had ever been raised prior to the death of the petitioner's wife. The petitioner, it is submitted is not involved in any other criminal case. Therefore, this petition be allowed.

Learned counsel for the State on instructions from ASI Azad Singh verifies that the complainant as well as his nephew has since been examined before the learned trial Court. There are ten prosecution witnesses, who are yet to be examined. It is affirmed that the petitioner is not involved in any other criminal case and has been in custody since October, 2016.

Keeping in view the facts and circumstances of the case noted above, no useful purpose would be served by keeping the petitioner incarcerated any longer. Trial in this case is not likely to conclude in the near future. 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 in the Court, if released on bail. Therefore, without expressing any opinion on the merits of the case, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial in case FIR No. 349 dated 10.10.2016 registered under Section 306 read with Section 34 of the IPC at Police Station Sadar, Gohana, District Sonapat subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

None of the observations in this order shall be construed to be a reflection on the merits of the case and shall have no bearing on the trial.

(LISA GILL)
JUDGE

02.06.2017
PA

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