

Criminal Misc. M- No. 7564 of 2017 (O&M)

Date of decision : March 16, 2017

Sandeep @ Sonu

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

Prayer is for bail pending trial to the petitioner in FIR No. 380 dated 11.10.2016 registered under Sections 306 and 34 IPC at Police Station City Dadri, District Bhiwani.

It is submitted that marriage between the petitioner and the deceased was solemnised in the year 2008. There are two children out of this wedlock. The petitioner and the deceased were living in peace and harmony through out these years without any acrimony till the date of the unfortunate occurrence on 10.10.2016. There is no complaint whatsoever against the petitioner in the interregnum. The ingredients of Section 306 IPC are not present in this case in any manner. Furthermore, the complainant as well as two other material witnesses, who have deposed before the learned trial Court have not supported the prosecution version.

Thus, it is prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Bhim Singh affirms that the complainant and two other witnesses namely Brahampal (PW2) and Hans Raj (PW3) have been examined. A photocopy of their testimony before the learned trial Court produced in Court today has been perused. They have undoubtedly not supported the prosecution version.

There are no allegations on behalf of the State that petitioner is likely to abscond, if released on bail. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

March 16, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No