

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

**CRM-M-8920-2017
Date of decision: 11.09.2017**

Gulzar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G. S. Sandhu, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Anupam Sharma, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 179 dated 02.03.2016, under Sections 304-B, 120-B and 34 of the Indian Penal Code, registered at Police Station Sadar, Karnal, District Karnal.

Counsel for the petitioner contends that the petitioner is in custody since 05.03.2016. It is argued that as per the allegations set out in the FIR, the petitioner was having an extra marital affair apart from the harassment being meted out to deceased Asma. It is also argued that all allegations are without being specific detail. It is further argued that despite several opportunities having been granted by this Court to the complainant to have his statement recorded, the same has not been done so far.

Ms. Gaganpreet Kaur, AAG, Haryana, has appeared on behalf of respondent-State and contested the bail application. On instructions from SI Suraj Bhan, she submits that out of total 21 witnesses, statements of two witnesses have been recorded so far while also affirming the fact that to date, the complainant has not come forward to have his statement recorded.

I have heard learned counsel for the parties.

In view of the fact that the investigation is complete and the petitioner is in custody since 05.03.2017, there is no need to detain the petitioner any longer. Therefore, without going into the merits of the case and keeping in view the fact that the trial is likely to take some time to conclude, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that in case the petitioner tries to intimidate the complainant in any manner whatsoever, the bail granted today shall stand vacated.

11.09.2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No