

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-12049 of 2018

Date of Decision: 11.5.2018

Satpal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Anil Kumar Sharma, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana
assisted by HC Rakesh.

Mr. Rahul Deswal, Advocate
for the complainant.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 506 dated 14.9.2017 registered at Police Station City Narnaul, District Mahendergarh under Sections 304-B, 498-A IPC.

Counsel for the petitioner contends that the petitioner is in custody since 26.9.2017. He further states that the incident had taken place in the parents house and the matter was not immediately reported and it is the *Sarpanch* who informed the police in the afternoon. It was urged that the allegations are that a call was made by the daughter but the police has not collected any such material. Counsel further states that the witnesses are not appearing.

State counsel has placed on record zimni orders. It is stated that a complaint was given earlier and compromise dated 20.8.2017 had been

arrived at.

It is not in dispute that there was an earlier complaint and allegations of beating had been levelled by the girl and she had also levelled allegations against the father-in-law but there is no MLR of 5.2.2017. A compromise was effected and the girl had taken back all the allegations. She returned to the matrimonial home but returned home within 10 days. The deceased hanged herself in her parents house. A week before that the husband had filed a divorce petition. The zimni orders placed on record show that the witnesses though had been served for 5.4.2018 but failed to appear before the trial Court. The explanation is that they had come for the hearing in the High Court. The zimni orders show that the witnesses did not appear even on the adjourned hearing i.e. 3.5.2018. The zimni orders show that no supplementary challan was filed on that day and bailable warrants were issued against the witnesses for 30.5.2018.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

May 11, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No