

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

Crl. Misc. M-17498 of 2017 (O&M)
Date of Decision: July 03, 2018

Harsh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. N.C. Kinra, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. Arun Singal, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.312 dated 09.09.2016, under Sections 304-B, 201, 120-B, 34 of Indian Penal Code, registered at Police Station Civil Lines, Sonipat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 09.09.2016. It is argued that the allegations as set out in the FIR have been found false. It is submitted that there is an allegation against the petitioner herein that he was having illicit relationship with his aunt, which has been found false by the police and the application moved under Section 319 Cr.P.C. has been

dismissed, which order has been upheld in revision. It is also contended that out of total 20 witnesses, 07 witnesses have been examined and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer as well as counsel for the complainant, oppose the grant of regular bail to the petitioner, while submitting that the petitioner herein is the husband of the deceased sister of the complainant, who died in her matrimonial home within four and half months of her marriage.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 09.09.2016 and that trial is likely to take sufficient time to conclude, as 13 witnesses out of total 20 witnesses are yet to be examined, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

July 03, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No