

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

Crl. Misc. M-31263 of 2017 (O&M)
Date of Decision: February 02, 2018

Bajrang Lal Gupta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanjay Kaushal, Senior Advocate with
Mr. Arjun Shukla, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. Sumit Gupta, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant second petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.571 dated 04.08.2015, under Sections 304-B, 306, 34 of Indian Penal Code, registered at Police Station Civil Lines Karnal, District Karnal.

Learned Senior counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 30.09.2015 and charges have already been framed on 19.03.2016. It is argued that the petitioner herein is a heart patient, who has undergone his surgery in the year 2011 in Super Specialty Hospital Medanta at Gurugram. It is submitted that the trial is taking an inordinate delay, because as on date only

13 witnesses have been examined, out of total of 27 witnesses. It is further submitted that the deceased committed suicide while in her parental home. In fact, she had left her matrimonial home on 14th January, 2015 and committed suicide, on receipt of a divorce petition sent by the son of the petitioner.

Per contra, learned counsel appearing on behalf of respondent-State and the complainant argue that the petitioner herein is not entitled to any relief, as prayed for. It is contended that earlier too bail application had been filed, which stood dismissed and there are no change in circumstances. It is argued that son of the petitioner/husband of the deceased is absconding. Moreover, the petitioner himself is taking an inordinate time in examining the witnesses.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and keeping in view the ill health of the petitioner and the fact that the petitioner herein has been in custody since 30.09.2015, this court allows the instant petition for grant of regular bail to the petitioner, who is father-in-law of the deceased, while making it clear that regular bail has been granted to him, on account of his ill health. 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.

February 02, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No