

**223 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-32214-2018
Date of decision: 06.08.2018**

Vinod Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sukhdeep Singh Bhinder, Advocate,
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.151 dated 02.09.2013 under Section 304-B IPC, registered at Police Station Canal Colony, Bathinda, District Bathinda.

Learned counsel appearing on behalf of the petitioner would contend that the petitioner herein has been in custody since 02.09.2013. He further submits that the cross-examination of PW-1 itself would reveal that it was a simple marriage and the question of demand of dowry would not arise. It is also argued that all material witnesses have since been examined.

Ms. Rajni Gupta, learned Sr. DAG, Punjab opposes the grant of bail alleging that there are serious allegations against the petitioner.

I have heard learned counsel for the parties.

In view of the fact that the petitioner has been in custody since 02.09.2013 and the material witnesses have since been examined, no useful purpose would be served by keeping him incarcerated any more. Without expressing any opinion on merits of the case, the petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

Petition stands allowed.

06.08.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.