

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-37803 of 2018

Date of Decision: 21.9.2018

Sombir

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ram Pal Verma, Advocate
for the petitioner.

Ms. Priyaka Sadar, AAG, Haryana.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 559 dated 31.8.2017 registered at Police Station City, Sonapat under Sections 498-A, 304-B IPC.

Counsel for the petitioner contends that petitioner is in custody for over a year and the complainant side is not appearing and they have not appeared even afterailable warrants were issued against them and the zimni orders have been placed on record. The counsel further submits that the sister of the deceased is married to the petitioner's brother and she had made a statement in their favour and it was not a dowry death.

The zimni orders placed on record show that on 16.3.2018, the complainant and other family members were not served but they moved an application for exemption and their presence was exempted on the condition that they would appear on the next date of hearing. The case was adjourned for over two months later, on which date they failed to appear andailable warrants were issued against them for 1.8.2018. The witnesses again failed

to appear though service had been effected on the complainant through their mother. Naveen had also been served. It appears that they are avoiding the witness box. The trial would take time.

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 bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

September 21, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No