

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

CRM-M-38733-2018

Date of decision: 11.09.2018

Ramchander

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. S.K. Verma, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

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. 58 dated 10.03.2018 under Section 304-B IPC, registered at Police Station Civil Lines, Bhiwani District Bhiwani.

Learned counsel appearing on behalf of the petitioner would contend that the petitioner has been in custody since 30.03.2018. He further submits that statement of the complainant has been recorded wherein she has not supported the case of the prosecution. In this background, he prays for grant of bail to the petitioner.

Ms. Gaganpreet Kaur, learned AAG, Haryana, opposes the grant of regular bail, however, does not dispute the fact that the complainant has not supported the prosecution version while deposing before the trial Court.

I have heard learned counsel for the parties.

In view of the fact that statement of the complainant has already been recorded in which she has not supported the prosecution case, there would be no useful purpose served in keeping the petitioner in custody. The present petition is allowed. 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- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

11.09.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.