

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-44282 of 2018
Date of decision : October 12, 2018

Parveen and another

....Petitioners

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Naveen Bawa, Advocate, for the petitioners

Mr. Deepak Sabharwal, Addl. AG, Haryana for the State
with ASI Devinder Singh, Police Station Kundli, Sonapat

Fateh Deep Singh, J. (Oral)

Learned State counsel has placed on record latest custody certificate of the petitioner. Copy given to the other side.

This order shall dispose of regular bail application of petitioners-accused Parveen and Vinay @ Titu filed under Section 439 Cr.P.C. on the complaint of Birpal father of deceased Ravina.

The brief allegations are that the deceased was married to Naveen on 2.2.2017 where dowry articles were given but during the course of matrimonial life, the accused side who are in-laws and

the present petitioners happen to be the elder brothers of Naveen, have been demanding Rs 50,000/- to enable the family to buy a motorcycle and on account of which she was often given beatings and thus the matter having been resolved, the accused did not raise their demand further. It was on 3.1.2018, the deceased was forced to commit suicide by hanging herself leading to the arrest of the petitioners on 20.3.2018.

Counsel for the petitioners Mr. Naveen Bawa has argued that the petitioners have not been specifically alleged to have made any specific demand and that no role is attributed to them in the commission of the offence and even the complainant has not levelled any allegation against them in his deposition before the trial court and has sought to place reliance on Annexure P/4 and apprehending that the trial is not likely to be concluded in near future, sought grant of bail to the petitioners.

On behalf of the State, learned State counsel has sought to oppose the bail on the grounds of heinousness of crime and seriousness of allegations while arguing that the accused side has already influenced the witnesses who are not coming forward to support the prosecution story and thus prays for declining the prayer of the petitioners.

Appreciating the submissions of the two sides, a bare

perusal of the FIR Annexure P/1 does not bear out any specific allegations against both the petitioners or their role in the commission of offence. The petitioners are behind the bars for almost seven months and even the complainant as per Annexure P/4 has not supported the prosecution story and the trial is not likely to be concluded in near future, no useful purpose will be served by retaining the petitioner in custody. Accordingly, both the petitioners are ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Sonapat.

The present petition stands disposed off accordingly.

The observations made herein above shall not be binding on the trial court at the time of trial as these are purely for the disposal of the present bail application.

October 12, 2018
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(Fateh Deep Singh)
Judge

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>