

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

Criminal Misc. No.M- 43864 of 2017(O&M)

Date of Decision: January 11 , 2018.

Mann Singh

..... PETITIONER (s)

Versus

State of Haryana

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Sanjay K.Saini, AAG, Haryana.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.500 dated 25.04.2017 under Sections 307/323/498A/506/302/304B/34 IPC, registered at Police Station Sadar Gurgaon, District Gurgaon.

It is submitted that the petitioner, who is the father-in-law of the deceased, has been involved in this case merely due to his relationship. The petitioner, it is argued, is a driver working for a company-Q3 Infotech Pvt. Ltd. He was not even present at the matrimonial home when the unfortunate incident took place. Reference is made to the company log details (Annexure P1). It is

further submitted that the deceased in this case was taken to the hospital by the family of the petitioner. The mother-in-law and sister-in-law of the deceased were found innocent by the police during investigation. Moreover, examination-in-chief of the complainant in this case has been carried out. Thereafter, an application under Section 319 Cr.P.C. has been moved for summoning of the accused found innocent during investigation. The petitioner, it is submitted, is not involved in any other criminal case. The petitioner undertakes not to misuse the concession of bail, if afforded to him. It is thus prayed that this petition be allowed.

Learned counsel for the State submits that there are specific allegations against the petitioner. However it is affirmed, on instructions from SI Rajesh Kumar, that the deceased was taken to the hospital by the family of the petitioner. It is further affirmed that an application under Section 319 Cr.P.C. has since been moved for summoning of the co-accused found innocent during investigation. The petitioner is not reported to be involved in any other criminal case. Trial in this case is not likely to conclude in the near future. There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition filed by Mann Singh is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is made clear that the petitioner shall not directly or indirectly try to contact the complainant, any of his family members or witnesses in this case. Any such infraction on the part of the petitioner may entail cancellation of his bail.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

January 11 , 2018.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No