

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

Criminal Misc. No.M- 4762 of 2018(O&M)

Date of Decision: February 09 , 2018.

Deepak PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Naveen Singh Panwar, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, 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.244 dated 01.07.2017 under Sections 304B/34 IPC, registered at Police Station Murthal, Sonipat.

It is submitted that the complainant named as many as six persons as accused in the aforementioned FIR. However, allegations against five of them were found to be incorrect and it is only the petitioner, who was proceeded against.

PW1, the complainant (father of the deceased), PW2 (uncle of the

deceased) and PW5 (grandfather of the deceased) have not supported the prosecution case. They have specifically stated that the deceased was never subjected to any ill-treatment or harassment at the hands of the petitioner on account of insufficient dowry. Their statements are attached as Annexures P3 to P5 with this petition. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Sanjay Kumar, is unable to deny that the complainant as well as two other material witnesses have not supported the prosecution case. 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 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 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.

February 09 , 2018.
'om'

(**LISA GILL**)
JUDGE

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