

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

CRM-M-6263-2018

Date of decision: 12.03.2018

Vishal Gupta

...Petitioner

Versus

State of Har yana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vikram Chaudhary, Sr. Advocate, with
Ms. Isha Goyal, Advocate,
for the petitioner.

Mr. P.P. Chahar, DAG, 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. 603 dated 10.11.2017 under Section 304-B IPC, registered at Police Station Sector-5, Panchkula.

Learned senior counsel appearing on behalf of the petitioner would contend that this is a case where the deceased was undergoing psychiatric treatment at Fortis Hospital under Dr. Hardeep Singh and was under depression when she committed suicide. In fact the parties were not residing together for the past few weeks. In this regard reliance has been placed on bills-cum-receipts dated 10.02.2017 and 02.03.2017. In support of argument that deceased was under depression, reliance is also placed upon a report of Dhawan Hospital where advice has been given that the patient

should not be left alone and not to leave anything with which patient can harm herself and patient was told not to drive.

Learned counsel for the respondent-State opposes the grant of regular bail by submitting that as on date only charges have been framed and the trial is yet to be started.

I have heard learned counsel for the parties.

Prima facie this Court is of the opinion that no useful purpose would be served in keeping the petitioner herein incarcerated since the investigation has been completed in the said case, trial is likely to take some time to conclude. Without expressing any opinion on merits of the case, the present petition is allowed. 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- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

However, it is made clear that the State is at liberty to move application for cancellation of bail in case the petitioner herein tries to

influence any of the witnesses.

12.03.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.