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

Crl. Misc.M- 643-2018 (O&M)

Date of Decision: 29.05.2018

Manish Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Tarunveer Vashisht, Advocate
for the petitioner.
Ms. Gaganpreet Kaur, AAG, Haryana.
Mr. C.R.Narwal, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 732 dated 06.08.2017, under Sections 304-B, 34 of Indian Penal Code, registered at Police Station Chandni Bagh Panipat, who is confined in District Jail, Karnal.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case under Section 304-B, 34 of Indian Penal Code, on the statement given by Azad Singh, father of the deceased herein. It is argued that the marriage between the petitioner and the deceased was solemnized on 10.10.2010 and subsequent thereto, no complaint had been lodged by the deceased regarding ill-treatment or

demand of dowry. It is further argued that the post-mortem report itself would reflect that there were no external injuries and any injury i.e. broken rib-cage would be on account of an effort made to resuscitate her. As per the post mortem report, the cause of death is cardiac arrest. Learned counsel for the petitioner also argues that the petitioner is in custody since 11.08.2017 and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, and the complainant, oppose the grant of regular bail to the petitioner. Learned counsel for the complainant, however, submits that there are external injuries on the body of the deceased.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the fact that the petitioner herein has been in custody since 11.08.2017 and that no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting anything on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on furnishing of adequate personal bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

May 29, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No