

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-5446-2019

Date of Decision:-23.05.2019.

Abhishek Bhardwaj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Nakul Sharma, Advocate for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.474 dated 05.10.2018, registered under Sections 304-B, 498-A, 406 and 34 IPC at Police Station, Sector 14, Gurugram, District Gurugram.

Heard.

Earlier the complainant filed complaint dated 28.09.2018 (wrongly mentioned as 28.08.2018) (Annexure P-2) that he has no suspicion on anybody with regard to death of his daughter.

Learned counsel for the petitioner placed reliance on the cross-examination of the witnesses wherein it has been stated that complainant admitted that he submitted a complaint before the police on 28.08.2018. Later on he took somersault to allege that the petitioner and his family members are demanding dowry.

Learned State counsel, on instructions from ASI Jogi Nath, Police

Station Sector 14, Gurugram submitted that 5 witnesses have already been examined.

The petitioner is in custody since 12.09.2017. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Abhishek Bhardwaj is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the prior permission of the Court.

(RAJ SHEKHAR ATTRI)
JUDGE

May 23, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.