

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-19822 of 2019

Date of Decision: 18.07.2019

Sandeep

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Rakesh Kumar Lathwal, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.106 dated 20.08.2018 under Sections 304-B, 498-A, 34 IPC registered at Police Station Mohana, District Sonapat.

Learned counsel for the petitioner submits that the petitioner is brother-in-law of the deceased Mamta, whose marriage was solemnized with Pawan Kumar on 24.10.2016. She died on 20.08.2018 by hanging herself. Co-accused of the petitioner Savitri, mother-in-law of the deceased (who is mother of the petitioner) has already been admitted on regular bail vide order dated 21.02.2019 passed in CRM-M-7452-2019 *Savitri Vs. State of Haryana*. Even Pawan Kumar, who is husband of the deceased, has

also been granted bail. He further states that in the FIR, except for the reason that the petitioner is brother-in-law of the deceased, he has not been specifically named in the FIR, however, he is in custody since 19.09.2018.

Learned State counsel does not dispute the custody of the petitioner. However, she submits that there is specific reference of brother-in-law of the deceased in the FIR and merely because the petitioner is not named in the FIR, it cannot be encashed by him.

I have heard learned counsel for the parties

Admittedly, the co-accused of the petitioner have already been admitted on bail and as against 13 witnesses cited by the prosecution, only 3 witnesses have been examined so far. Considering the fact that the petitioner is in custody since 19.09.2018 and trial in the case will take sufficiently long time and no useful purpose will be served to keep the petitioner in custody, more particularly when his co-accused have already been released on bail, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

July 18, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No