

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-20366-2019

Date of Decision:09.05.2019

Om Parkash

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. M.K. Mittal, Advocate,
for the petitioner.

Ms. Mahima Yashpal, A.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.446 dated 20.11.2018 under Sections 304-B, 34 IPC, 1860, registered at Police Station Naraingarh, District Ambala.

Learned counsel for the petitioner has argued that petitioner is in custody since 21.11.2018 and he is a heart patient. He refers to the medical record of Healing Touch, Super Specialty, Hospital, Ambala Cantt., where angioplasty surgery was conducted. He has further argued that on the relevant date when the deceased had committed suicide, the petitioner was not present in his house. He submits that the deceased had extra-marital affairs and when it has come to the knowledge of her husband, she has come under severe depression and has taken the extreme step of committing suicide. The petitioner is well-established businessman and demand of Rs.1,00,000/- and a car is unrealistic when the family has already owned

two cars with them.

Learned State Counsel, on instructions from the Investigating Officer, does not dispute the custody period, however, she states that the deceased was married with the son of the petitioner on December, 2016 and deceased died within two years of her marriage. It is sufficient to prove that she was being harassed/tortured by her in-laws family for demand of dowry.

Heard learned counsel for the parties.

Admittedly, the petitioner is in custody since 21.11.2018. He is father-in-law of the deceased. Petitioner is a heart patient and his angioplasty surgery has been conducted. On the relevant day, when deceased had committed suicide, he was not present at home. As trial in the case is not likely to be concluded in the near future, this Court finds that the petitioner deserves to be admitted on 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.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case. The trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses directly or indirectly in any manner.

May 09, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No