

226.

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

CRM-M-25688-2019

Date of decision: 28.08.2019

JAI BHAGWAN

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Ms. Savita Rana, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.911 dated 20.12.2018 registered under Sections 304B, 34 of IPC at Police Station Gharaunda, District Karnal.

Counsel for the petitioner has argued that there is no specific allegation against the petitioner. The whole family has been arrayed as accused and the allegations are general in nature. The petitioner is in custody since 01.01.2019. Merely because the deceased-Sonia has died within 7 years, cannot be a ground to decline bail unless there are specific allegations against the accused. She further states that the prosecution has cited as many 14 witnesses and only 3 witnesses have been examined, and at the stage when the complainant was examined, the prosecution has moved an application under Section 319 Cr.P.C. and in this manner, trial is not likely

Learned State counsel, on instructions from ASI Bahadur Singh, does not dispute the custody. However, she has not been able to point out any specific allegation against the petitioner who is father-in-law of the deceased.

I have heard learned counsel for the parties.

The petitioner is in custody since 01.01.2019. As against 14 witnesses cited by the prosecution, only 3 have been examined and at this stage, an application under Section 319 Cr.P.C. has been moved by the prosecution, the trial in the case will take sufficient long time. Thus, this Court deems it appropriate to admit the petitioner on bail.

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

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

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

28.08.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No