

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

221

CRM-M-27485-2019

Date of Decision:05.07.2019

Sonu Kumar

.....Petitioner

Versus

State of Haryana and another

.....Respondents

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

**Present: Mr. Amit Khatkar, Advocate,
for the petitioner.**

Ms. Gaganpreet Kaur, AAG, 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.265 dated 31.12.2018 under Section 304-B IPC, registered at Police Station Sector-14, Panchkula.

Learned counsel for the petitioner has argued that marriage between the petitioner and the deceased was solemnized on 21.02.2015 and out of this wedlock, a daughter was born to them, who is living with the parents of the petitioner. However, deceased Anjali committed suicide and died on 30.12.2018 by way of hanging. The petitioner is in custody since 31.12.2018. He further states that the petition for quashing of FIR on the basis of compromise has been filed as the matter has been compromised between the parties. He refers to the compromise 25.03.2019 (Annexure P-2) and contends that in fact the FIR was registered by the complainant on the instigation of one of the neighbour of the petitioner.

Learned State Counsel, on instructions from SI Rakesh Kumar, has argued that the deceased had died within seven years of her marriage. The offence against the petitioner is serious. As per FIR, there are allegations of demand of motorcycle and a car.

Heard learned counsel for the parties.

Admittedly, the matter has been compromised between the parties and the quashing petition has also been filed on the basis of compromise, wherein this Court had directed the parties to record their respective statements, in support of the compromise. Considering the compromise having been arrived at between the parties, chances of conviction of the petitioner and co-accused are bleak. Petitioner is in custody since 31.12.2018 and trial in the case is not likely to be concluded in the near future, therefore, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, without observing anything on merits of the case, 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 and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

July 05, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No