

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

CRM-M No.42104 of 2019

Date of decision: 31st October, 2019

Satpal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Vishal S. Chauhan, Advocate for the petitioner.

Mr. Baljinder S. Virk, Dy. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Satpal in this second regular bail application under Section 439 Cr.P.C. in case bearing FIR No.50 dated 11.02.2019 under Sections 304B, 406, 498A, 34 IPC pertaining to Police Station Khedki Daula, District Gurugram, the first one having been dismissed as withdrawn, have been levelled by complainant Laxmi, mother of the deceased Kavita wife of accused non-petitioner Raj Kumar. The petitioner happens to be father-in-law of the deceased. The allegations are to the effect that marriage between the son of the petitioner and the deceased took place on 08.03.2014 and that on account of wayward habits of the husband, there often used to remain matrimonial disaccord and it is alleged that on the asking of the accused husband, the complainant was forced to dole out ₹40,000/-. It is

thereafter on 11.02.2019, the deceased died by way of hanging, leading to registration of the present case.

Learned counsel for the petitioner Mr. Vishal Singh Chauhan, Advocate inter alia contends that a bare perusal of the FIR and the evidence reveals that no specific allegations have come about against the petitioner father-in-law who is a senior citizen and no specific role has been attributed to the petitioner in commission of the offence. It is further contended that similarly placed co-accused wife Santosh has been allowed the relief vide order dated 02.05.2019 and the case of the present petitioner is not distinguishable from that of his co-accused.

On behalf of the State, Mr. Baljinder Singh Virk, Dy. Advocate General, Haryana on instructions from SI Sajjan Singh, Police Station Khedki Daula, District Gurugram though has not displaced the facts brought to the notice of this Court but has opposed the grant of bail on the grounds of heinousness of the offence.

Appreciating the arguments of the two sides, to the specific query of the Court learned State counsel could not pinpoint any specific role having been attributed to the petitioner in commission of the offence. Co-accused non-applicant Santosh has already been granted this relief by this Court vide orders dated 02.05.2019 and thus even otherwise by the principle of parity, and the fact that the petitioner is behind bars since more than six months and also that the trial is not likely to conclude in the near future, this Court is of the opinion that no useful purpose will be

served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Gurugram. However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

October 31, 2019
rps

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