

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

CRM-M-41783 of 2019.

Decided on:- November 19, 2019.

Rajinder Kumar.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

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

Present:- Mr. Prem Chand Chaudhary, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, 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.162 dated 06.12.2018 under Section 306 read with Section 34 IPC registered at Police Station Jathlana, District Yamuna Nagar.

The aforesaid FIR was registered on the statement of Mukesh, who is brother of deceased Poonam, who died on 06.12.2018 while jumping in the canal. As per the FIR, deceased Poonam was married with the petitioner in the year 2016 and the petitioner used to quarrel and give beating to her.

Learned counsel for the petitioner has argued that it is on account of temperamental differences, deceased Poonam was staying away from the petitioner. Moreover, the petitioner is in custody since 07.12.2018 and only 6 prosecution witnesses have been examined so far, whereas the prosecution has cited total 16 witnesses.

Learned State counsel does not dispute the custody and the fact that 6 witnesses have been examined in the case. She, however, states that the evidence of the complainant is to be recorded before the trial Court on 25.11.2019 and the deceased, who got married with the petitioner had died after about 2 years of the marriage.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 07.12.2018 and conclusion of the trial is likely to take long time, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

However, it is made clear that in case the petitioner influences the remaining prosecution witnesses in any manner directly or indirectly, the prosecution shall be at liberty to seek cancellation of his bail.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

November 19, 2019

Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No