

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-43844-2019

Date of Decision:13.12.2019

Siri Ram Yadav

.....Petitioner

Versus

State of Union Territory, Chandigarh

.....Respondent

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

Present: Mr. Rajesh Kumar Girdhar, Advocate,
for the petitioner.

Kr. Yashwant Singh Rathore, APP,
for U.T., Chandigarh.

Mr. Jitender Dhanda, Advocate,
for the complainant.

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.0061 dated 08.03.2019 under Sections 304-B, 34 IPC, registered at Police Station South, Sector-34, Chandigarh.

Learned counsel for the petitioner states that the petitioner is in custody since 09.03.2019. Though the deceased got married with Sandeep who is son of the petitioner on 23.02.2018, however, she(deceased) died on 08.03.2019 by hanging. He further states that there is no specific allegation against the petitioner of demand of dowry. Even otherwise, allegation in the case if any, is general in nature. Petitioner has been named in the case by the deceased being head of the family in her dying declaration. Therefore, petitioner deserves to be admitted on bail in the case.

complainant do not dispute the custody period. However, they state that the deceased has specifically named the petitioner in her dying declaration and therefore, he does not deserve the concession of bail.

Heard learned counsel for the parties.

Admittedly, the petitioner is in custody since 09.03.2019. All family members of the petitioner are in custody. In the FIR, it is alleged that about two months back the deceased was given beatings, but the allegations which are general in nature, there is no specific attribution to the petitioner. This Court finds that the petitioner being father-in-law of the deceased and is in custody since 09.03.2019, this Court finds that the culpability of the petitioner in the crime is yet to be established during the course of trial. Trial is not likely to be concluded in the near future. Therefore, 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.

However, 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.

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.

December 13, 2019

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(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No