

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

236

CRM-M-929-2020

Date of Decision: 17.01.2020

Raghuvir Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Ravi Malik, Advocate for
Mr. S.K. Panwar, Advocate,
for the petitioner.

Ms. Priyanka Sadar, 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.669 dated 03.09.2018 under Sections 304-B, 34, 498-A IPC, registered at Police Station Sadar Palwal, District Palwal.

Learned counsel for the petitioner states that for the same set of allegations, co-accused of the petitioner, Laxmi Devi @ Lachho, who is wife of the petitioner, has been granted anticipatory bail by this Court vide order dated 02.12.2019 passed in **CRM-M-34407-2019 (Laxmi Devi @ Lachho Versus State of Haryana)**. Petitioner is in custody since 29.11.2018. As against total 17 witnesses cited by the prosecution, only 02 witnesses have been examined which includes the complainant as well. Trial is not likely to be concluded in the near future.

Learned State Counsel does not dispute the custody period and

submits that the deceased was married with Nirottam on 28.04.2015 and

she died on 03.09.2018. The petitioner having been committed the offence under Section 304-B IPC does not deserve to be admitted on bail.

Heard learned counsel for the parties.

Complainant-Balbir has already been examined and in the event of grant of bail, petitioner is not likely to influence the witnesses. As per MLR, deceased had died because of aluminium phosphide. However, as per report dated 28.09.2018 received from Regional Forensic Science Laboratory, Bhondsi, Gurugram, no common poison could be detected in the case. Moreover, for similar set of allegations, co-accused Laxmi Devi @ Lachho, who is wife of the petitioner, has been admitted on anticipatory bail vide order dated 02.12.2019. Petitioner is in custody since 29.11.2018. As against total 17 witnesses cited by the prosecution, only 02 witnesses have been examined, which includes the complainant. Trial is not likely to be concluded in the near future. 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 furnishing his adequate 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.

January 17, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No