

228.

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

CRM-M-2875-2020

Date of decision: 28.01.2020

AJAYPAL

.... Petitioner

versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Parveen Kaushik, Advocate, for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana, for respondent No.1.

Mr. Naresh Kumar Ganga, Advocate, for
Ms. Divya Bajaj, Advocate, for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner, pending trial, in case FIR No.0076 dated 05.12.2019 registered under Section 306 of IPC at Police Station GRP Bahadurgarh, District Jhajjar.

Petitioner is the husband of the deceased. The marriage between the parties was solemnized in the year, 2002. The deceased died by jumping before the train.

Learned counsel for the petitioner has argued that the petitioner is in custody since 06.12.2019 and the matter has otherwise been compromised between the parties. The culpability of the petitioner is yet to be established during the trial.

Power of attorney filed on behalf of respondent No.2 in court today, is taken on record. Learned counsel for respondent has filed an

affidavit as regard the compromise, which is taken on record.

Learned State counsel, on instructions from ASI Satyawar, states that earlier also, the deceased was found missing and for this reason, an FIR was registered in September, 2019 at the behest of the complainant, who is the father of the deceased. Thereafter, she has suffered a statement under Section 164 Cr.P.C. and was rehabilitated in the in-laws house.

I have heard learned counsel for the parties.

Petitioner is in custody since 06.12.2019. Considering the fact that the matter has been compromised between the parties and the culpability of the petitioner is yet to be established during trial, which will take sufficient long time, 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.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

28.01.2020
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No