

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222

CRM-M-5895-2020

Date of Decision:17.02.2020

Ramphal

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Amrik Singh Kalra, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Jai Bhagwan, Advocate,
for the complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this 2nd petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner, who is about 62 years of age and father-in-law of deceased, in FIR No.305 dated 06.07.2019 under Sections 304-B, 498-A read with Section 34 IPC, registered at Police Station Ganaur, District Sonipat.

Power of attorney filed on behalf of the complainant today in the Court, is taken on record.

The earlier petition filed by the petitioner i.e. CRM-M-3386-2020 (Ramphal Versus State of Haryana) was dismissed as withdrawn as there were some typographical errors in the petition.

Learned counsel for the petitioner has argued that marriage of

the deceased was solemnized with son of the petitioner on 18.11.2018. The allegations in the FIR are general in nature and there is no specific allegation of demand of dowry or beating given to the deceased. Petitioner is in custody since 26.07.2019. The deceased had died while consuming poisonous substance and she was taken to the hospital by the family of the petitioner.

Learned State Counsel does not dispute the custody period and the manner in which the deceased had died.

However, learned counsel for the complainant has argued that there are serious allegations against the petitioner as the whole family used to give beatings to the deceased, so as to compel her to bring dowry and it is on account of harassment, she committed suicide.

Heard learned counsel for the parties.

Petitioner is in custody since 26.07.2019. No doubt, she died in the matrimonial home, but at the same time, she was taken to the hospital by none else but by the family of the petitioner. Petitioner being an old man of 62 years of age and happens to be father-in-law of the deceased. In the absence of any specific attribution to the petitioner, this Court finds that culpability of the petitioner is yet to be established during the course of trial. Moreover, trial in the case is not likely to be concluded in the near future. Therefore, this Court deems it appropriate to admit the petitioner on regular 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, 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.

February 17, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No