

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

CRM-M-12399-2020

Date of Decision: 21.5.2020

Puneet Kumar

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. S.K. Garg Narwana, Senior Advocate with
Mr. Vishal Garg Narwana, Advocate
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. Case is taken up for hearing today through video conferencing due to pandemic of COVID-19.
2. This is the first petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner pending trial in case FIR No. 369 dated 30.4.2019 under Sections 346 IPC registered at Police Station Thanesar City, District Kurukshetra (later an offence under Section 346 IPC deleted and offences under Section 302/34, 201 IPC are added during the investigation of the case).
3. Heard.
4. Notice of motion to the Advocate General, Punjab.
5. Mr. Vikrant Pamboo, DAG Haryana appears on behalf of the State of Haryana.
6. Learned counsel for the petitioner contends that the petitioner was the complainant in the present FIR whereby he reported the matter to the Police regarding missing of his wife namely Nisha Rani since 27.4.2019 and after 10 days of registration of FIR an

offence under Sections 302/34, 201 IPC was added on the statement of one Anil Kumar (brother of deceased Nisha Rani) and the petitioner was falsely implicated in the case. He further contends that Anil Kumar concocted a false story of petitioner having illicit relations with another woman and due to this the petitioner pushed his wife in the canal. No investigation regarding this has been conducted by the Police.

7. Counsel representing the State of Punjab has opposed the application for bail but did not contest correctness of submissions made by learned counsel for the petitioner.

8. I have heard learned counsel for the parties and gone through the paper-book.

9. Learned counsel for the petitioner submits that he has been married since 29.4.2003 and two children were born from the wedlock. No complaint with regard to the conduct or character of the petitioner was given. He further submits that both the children of the petitioner remain ill and are getting regular treatment from various hospitals. Son of the petitioner is suffering from asthma and his daughter is mentally unfit and is suffering from epilepsy and he has also an aged mother to look after.

10. Having heard learned counsel for the parties and without any opinion on merits of the case, I am of the considered view that no useful purpose would be served by keeping the petitioner in jail. The petitioner is in judicial custody since 10.5.2019. It appears to be a fit and proper case for grant of bail pending trial.

11. In view of the above, this petition is allowed. The

petitioner is directed to be released on regular bail subject to his
furnishing adequate bail bonds/surety bonds to the satisfaction of the
trial Court.

(RAJIV NARAIN RAINA)
JUDGE

21.5.2020

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No