

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

**CRM-M-13933-2020 (O&M)
Decided on : 24.06.2020**

Dinesh Kumar

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Vijay Kumar Sheoran, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J.

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 244, dated 26.11.2019, under Sections 323, 328, 34, 342, 498-A, 506 IPC (challan presented under Sections 323, 328, 342, 498-A, 506 IPC), registered at Police Station Rozka Meo, District Mewat (Nuh), Haryana.

Notice of motion.

On the asking of the Court, Mr. Deepak Sabherwal, Addl. AG, Haryana, accepts notice on behalf of the State.

Learned counsel for the petitioner *inter alia* contends that the marriage of the complainant was solemnized with the petitioner 10 years prior to the registration of the FIR in question and not even once any allegation was levelled against the petitioner or any of his family members, nor any complaint made pertaining to harassment or cruelty being meted out to the complainant. Further contends that the contents of the FIR clearly hint at the false implication of the petitioner and his family members, which

was further substantiated from the fact that no poison was detected as per the FSL report, which falsified the allegations levelled against the petitioner of forcibly administering some poisonous substance in the mouth of the complainant. He also further contends that the petitioner has been in custody since 12th December, 2019 and the trial is unlikely to conclude in the near future, as till date only charges have been framed.

Learned State counsel on the other hand while opposing the prayer of the petitioner, has not been able to controvert the factum of no poison having been detected in the FSL report.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been behind bars since 12th December, 2019, no useful purpose would be served in keeping the petitioner behind bars, as the trial is unlikely to conclude in the near future, more so in the prevailing conditions due to the outbreak of pandemic COVID-19. Therefore, I deem it a fit case for grant of the concession of regular bail. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 24, 2020

J.Ram

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