

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-14108-2020

Date of Decision : 25.06.2020

VikramPetitioner

Versus

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. Chanakya Pandit, Advocate
for the petitioner.

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MANJARI NEHRU KAUL, J. (Oral)

Due to the outbreak of COVID-19 pandemic, the case is 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. 250 dated 10.05.2019 under Sections 406, 498-A, 304-B, 34 IPC registered at Police Station Sector 53, District Gurugram.

Learned counsel contends that the petitioner has been behind bars for almost 14 months now, having been arrested on 09.05.2019, and as on date only two prosecution witnesses including the complainant out of the 29 cited have been examined. He further contends that the evidence of the complainant, which has been annexed with the petition as Annexure P2, clearly reveals material contradictions which create a serious doubt about the authenticity of the allegations levelled against the petitioner.

Notice of motion.

On the asking of the court, Ms. Dimple Jain, AAG, Haryana,

accepts notice on behalf of the State. The learned State counsel, on instructions from ASI Vikram Singh, has vehemently opposed the prayer made by the petitioner, but has not been able to controvert the fact that only two prosecution witnesses have been examined till date and that the petitioner has been in custody for almost 14 months. She has further submitted that there are serious allegations levelled against the petitioner of meting out harassment to his deceased wife during their marriage.

Heard.

In view of the submissions made by the learned counsel and keeping in view that the petitioner has been in custody for almost 14 months, no useful purpose would be served by keeping the petitioner behind bars as the trial is unlikely to conclude in the near future in the prevailing conditions on account of outbreak of COVID-19 pandemic. I deem it a fit case to grant the concession of regular bail. Thus, without expressing any opinion on the merits of the case, the petition is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that any observation made herein above shall not be construed as an expression of opinion on the merits of the case.

25.06.2020
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No