

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

**CRM-M-16715-2020
Decided on : 23.07.2020**

Kapil Sharma

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. H.S. Aujla, Advocate
for the petitioner(s).

Mr. H.S. Sullar, DAG, Punjab.

MANJARI NEHRU KAUL, J.

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

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 203, dated 08.10.2018, under Sections 306, 34 IPC (Section 304-B IPC added later on), registered at Police Station Mattaur, District SAS Nagar Mohali.

Learned counsel for the petitioner *inter alia* contends that the petitioner, who is the husband of deceased Preeti Sharma, has been falsely implicated in the FIR in question. Initially the FIR was registered under Section 306 IPC, wherein, the complainant (father of the deceased) had alleged that his deceased daughter was being harassed and pressurized by her mother-in-law to develop physical relations with her brother-in-law and no specific allegations were levelled against the petitioner. However, later on after 20 days of the occurrence in question, statement of one Ravinder Kaur, a neighbour of the paternal uncle of the deceased, was recorded, wherein, she levelled allegations against the petitioner and others of

harassment on account of dowry demands, as a result of which, offence under Section 304-B IPC was added.

Learned State counsel on the other hand while opposing the prayer for grant of regular bail to the petitioner, has submitted that there are serious allegations levelled against the petitioner. He has, however, not been able to controvert the fact that initially there were no allegations levelled *qua* the demand of dowry. He further submits that charges have been framed, however, due to the outbreak of pandemic COVID-19, the prosecution evidence has not yet commenced.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner is in custody since 08th October, 2018, 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. Accordingly, 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

July 23, 2020

J.Ram

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