

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

Criminal Misc.-M-17543 of 2020 (O&M)
Date of Decision: November 10, 2020

Pankaj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Diwan S. Adlakha, Advocate,
for the petitioner.

Mr. Sukhdeep S. Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.94 dated 03.05.2019, under Sections 498-A, 304-B and 34 IPC, 1860, registered at Police Station, Sadar Panipat, District Panipat. The petitioner is in custody since his arrest on 15.05.2019.

The above FIR was registered on the application moved by Raghbir, wherein it was mentioned that he married his daughter Neelam on 06.02.2018 to Pankaj son of Dalbir and gave dowry as per his status, but her in-laws were not happy with the same. Her husband Pankaj, mother-in-law Rani, father-in-law Dalbir, Jeth Sonu and Devar Ankit used to beat and abuse her for bringing more dowry and used to ask her to bring Rs.one lac from her parents, otherwise she would not be allowed to stay there. His daughter telephoned him and narrated the entire incident. He gave Rs.50,000/-, but despite that, her in-laws started harassing her again.

Feeling harassed, his daughter came back to his house. She was taken back on 28.04.2019 by her mother-in-law, Jeth and husband after feeling sorry and he gave Rs.25,000/- to the mother-in-law. But despite that, they again started quarreling and beating her. On 03.05.2019, a telephonic information was received that his daughter had expired. His daughter was killed by accused Pankaj, father-in-law, mother-in-law, Devar Ankit and Jeth Sonu in connection with demand of dowry. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner contends that the victim ended her life by hanging and at that time, the petitioner was in his office. He has submitted that the allegations levelled against him and the other co-accused are common and co-accused, namely, Dalbir (father of the petitioner) stands released on regular bail vide order dated 08.06.2020 passed by this Court in CRM-M-43306 of 2019. According to him, the material witnesses, including the complainant have already been examined by prosecution, but the trial is likely to consume considerable time to conclude and, therefore, the further custody of the petitioner may not be necessary. He prays for grant of bail to the petitioner, during the pendency of the trial.

On the other hand, learned State counsel assisted by SI Ramesh Kumar has opposed the prayer on the ground that the petitioner got married to the petitioner on 06.02.2018 and she was harassed on account of demand of dowry, which compelled her to end her life. He has pointed out that in all there are seventeen witnesses and three witnesses, including the father of the victim, stand examined before the trial Court.

After hearing the learned counsel for the parties, this Court

finds that the co-accused of the petitioner has been released on regular bail by this Court. Apart from it, this Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may delay the conclusion of trial. The petitioner is presently confined in judicial custody since 15.05.2019 and his further detention may not be necessary for any useful purpose, therefore, this Court does not find any reason to decline the prayer.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Panipat.

November 10, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No