

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

210

**CRM-M No.18690 of 2020
Date of decision:31.07.2020**

Dalip

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. G.S.Sandhu, Advocate for the petitioner.

Mr. Apoorav Garg, DAG, Haryana.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 611, dated 04.12.2019 registered under Sections 328, 420 and 120-B IPC at Police Station Indri, District Karnal.

Learned counsel for the petitioner has urged that a bare perusal of the FIR shows that there was no allurement on the part of the petitioner, rather the complainant had approached him through his cousin to find a suitable match for him. The alleged payment of Rs.1 Lac to the petitioner is also not supported by any evidence. The petitioner is in custody since 20.12.2019. Still further, counsel contends that the allegation is that the bride, Ritu, gave some intoxicant in milk to the complainant and his family members, who became unconscious after consuming it. The bride left the matrimonial

home in the middle of the night with gold ornaments and a mobile phone. Counsel has submitted that Ritu has been granted regular bail by this Court vide order dated 25.06.2020 in CRM-M-4913-2020. He further places reliance on the order dated 22.06.2020, Annexure P-2, whereby co-accused Suresh, has been granted regular bail by the Sessions Court, Karnal. Counsel further submits that no doubt, the petitioner is involved in two other FIRs, but both those cases were registered against him on account of alleged rash and negligent driving. Still further, he submits that first bail petition filed by him was not disclosed in his petition under Section 439 Cr.P.C. before the Sessions Court on account of some misunderstanding with the counsel.

State counsel, upon instructions from SI Daya Nand, has opposed the petition on the ground that the petitioner and Suresh were the mastermind behind the entire episode. According to him, specific allegations have been levelled against them including allegations regarding payment of Rs.1 Lac to the petitioner and other co-accused. As per his instructions, the challan has been filed on 20.02.2020 and the investigation is complete. The case is now fixed for 20.08.2020 for framing of the charges.

I have considered the rival submissions of the parties.

Keeping in view the period of incarceration of the petitioner and the fact that the investigation is complete and the challan already stands filed and conclusion of the trial is likely to take time, no useful purpose will be served by keeping the petitioner in further detention. Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on his

furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

31.07.2020

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No