

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

**CRM-M-22402-2020 (O&M)
Date of Decision: 14.08.2020**

Vikash

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Vijay Kumar Sheoran, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Sunil Chaudhary, Advocate for the complainant.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in FIR No.67 dated 06.04.2020 under Sections 304-B/34/498-A IPC (challan presented under Section 306 IPC) registered at Police Station Jhojhu Kalan, District Charkhi Dadri.

Counsel for the parties have been heard.

FIR came to be registered on the complaint of Mahender Singh. Daughter of the complainant namely Manjeet is the deceased and who is stated to have died by way of hanging on 06.04.2020.

Petitioner herein is the husband of Manjeet. Marriage ceremony was solemnized on 15.03.2020.

Allegations raised by the complainant are that on 20.03.2020 his

daughter had come to the parental home and had disclosed her mother that her in-laws as also husband had been taunting her for bringing insufficient dowry and as such it is on account of such harassment that she took extreme step of ending her life.

FIR was registered for offences under Section 304-B/34/498-A IPC.

Petitioner was arrested on 07.04.2020.

During the course of arguments, it has gone uncontroverted that investigation having been completed, the challan has been presented on 06.07.2020.

As per Final Investigation Report, deceased Manjeet was found to be in a love affair with one Anil even prior to her marriage. However, parents of the deceased were opposed to the marriage. After marriage of the deceased with the present petitioner, Manjeet (deceased) is stated to have placed a telephonic call to Anil and which came in the knowledge of the petitioner. As per prosecution version the petitioner at such point of time had threatened the deceased and it is under such pressure that she committed suicide.

Offence under Section 304B, 498-A and 34 IPC have been deleted and Section 306 IPC stands added.

In the instant case the offences under Section 306 IPC if at all made out, would be a moot question to be considered by the Trial Court.

It is not the case made out on behalf of the State or the complainant that the benefit of bail, if granted, to the petitioner, he would hamper the course of a free and fair trial.

At this stage, it may be noticed that counsel for the complainant has vehemently argued that the police has not conducted a fair investigation in the matter.

Suffice it to observe that it would always be open for the complainant to take recourse of remedy as may be available in accordance with law.

In an overview of the matter, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Charkhi Dadri.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

14.08.2020
shweta

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No