

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24865-2020

Date of Decision : 31.08.2020

GajriPetitioner

Versus

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...
(through video conferencing)

Present: Mr. Rakesh Sobti, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Mr. Shashi Kumar Yadav, Advocate
for the complainant.

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MANJARI NEHRU KAUL, J. (Oral)

This is a second petition for grant of regular bail to the petitioner in case FIR No.509 dated 02.07.2019 under Sections 498A, 304B, 34 IPC registered at Police Station Sadar, Palwal.

Learned counsel for the petitioner contends that the deceased who was the daughter-in-law of the petitioner was never harassed for dowry as alleged in the FIR in question and had in fact consumed poison as she was apprehensive of not clearing the JBT Examination which was scheduled for next day since she had failed in her earlier two attempts. Further contends that the petitioner was not even present at home at the time of the alleged occurrence. Learned counsel has further argued that the petitioner has been in custody since 17.07.2019 and only 02 out of the 22 prosecution

witnesses cited so far have been examined till date. Hence, there is no likelihood of the trial concluding in the near future. More so, due to the outbreak of the Pandemic.

The learned State counsel, on instructions from ASI Virender Singh, while opposing the prayer and submissions of the petitioner has apprised this court that the complainant has not yet been examined and the status of the trial is the same as it was on 24.02.2020 when the first petition for grant of regular bail filed by the petitioner was dismissed as withdrawn.

Heard.

In the circumstances, no ground for grant of the concession of regular bail to the petitioner is made out since there has been no change in the status of trial from 24.02.2020 when the earlier petition for grant of regular bail filed by the petitioner was dismissed as withdrawn.

The petition is dismissed. However, this court is conscious and cannot be oblivious to the fact that due to the outbreak of the Pandemic the normal functioning of the trial court has been severely restricted. Thus, keeping in view that the petitioner, who is a 63 years old lady, has been in custody since 17.07.2019 and only 02 out of the 22 prosecution witnesses cited so far have been examined, the trial court concerned is directed to make all endeavors to conclude the trial within six months from the date the courts below resume normal functioning.

31.08.2020

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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No