

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

CRM-M-25909 of 2020

Date of Decision: 04.09.2020

Hari Om

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Krishan Singh, Advocate for
 Mr. Chander Kant Thakur, Advocate
 for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is being taken up for hearing through video conferencing.

This is a petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.844 dated 23.11.2018 under Sections 302 and 201 IPC, registered at Police Station Gharaunda, District Karnal.

The allegations against the petitioner are that he is brother-in-law of the deceased-Charanjit and sister of the petitioner Pinki was married to the deceased and petitioner along with co-accused have murdered Charanjit.

Learned counsel for the petitioner states that out of the said wedlock, there were three children. On 15.11.2018, Pinki left for her parental home after having a quarrel with her husband-Charanjit. Charanjit was adict and went to bring back his wife and children and was drunk. There he had a blood vomit and was taken to the hospital where he died.

Learned counsel for the petitioner further states that the cremation of the deceased-Charanjit was performed at his village and the petitioner along with co-accused Pinki and other family members had attended the cremation. The present FIR was lodged after eight days just to pressurize Pinki for not claiming anything from the property share of the

deceased.

Notice of motion.

Mr. Ramesh Kumar Ambavta, AAG, Haryana accepts notice on behalf of the respondent-State and states that after the registration of FIR, the statement of the minor son namely Vishal (aged 8 years) was recorded and in his statement, Vishal has stated that there was quarrel between his father-Charanjit, the present petitioner and the mother of the petitioner when Charanjit went to bring back his wife-Pinki from the house of his in-laws.

I have heard the learned counsel for the parties.

In the present case, there is no postmortem report which could indicate any injury on the person of deceased-Charanjit and moreover, the co-accused Pinki was granted regular bail on 14.11.2019 by this Court. The petitioner is in custody since 07.12.2018. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

04.09.2020
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No