

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

**CRM-M-26049-2020**

**Date of Decision: 29.09.2020**

**MAHABIR SINGH**

**.....PETITIONER**

**VERSUS**

**STATE OF HARYANA**

**.....RESPONDENT**

**CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH***

Present: Mr. Vikas Bishnoi, Advocate  
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

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**RAJ MOHAN SINGH, J.(Oral)**

The case has been taken up for hearing through  
video-conferencing.

Petitioner seeks grant of regular bail under Section  
439 Cr.P.C in case bearing FIR No. 354 dated 12.10.2019,  
registered under Sections 306 & 34 IPC at Police Station Bhuna  
District Fatehabad

The petitioner is the husband of the deceased. The  
allegations are that the marriage of deceased was solemnised  
with the petitioner in the year 2002. The couple was blessed with  
two children namely, Lucky aged 9 years and Partiksha aged 7  
years. The FIR was registered by the brother of the deceased

Jaivir Singh with the allegations that her sister was being harrassed by the petitioner and other family members. Mother-in-law of the deceased i.e. Maya Devi has been granted regular bail by this Court in CRM-M No. 6392 of 2020 vide order dated 11.08.2020. Offence under Section 306 IPC has been alleged against the petitioner. As per postmortem report, no external injury was found on the person of deceased. Visra was sent for chemical examination. Report of FSL would show that no common poison and Ethyl alchohol were found in the samples. The cause of death as per medical opinion was found to be asphyxia due to drowning.

The complainant by way of compromise/affidavit dated 05.08.2020 has also projected a case that his sister got slipped in water tank and ultimately died on account of drowning. The complainant is no more interested in pursuing the case against the petitioner and others. Similarly, Satyawan and Naresh collateral of the deceased have also executed their affidavits on the same lines.

The petitioner is in custody since 16.10.2019. Challan has been presented and the charges have not been framed so far.

In view of the aforesaid position, without advertng to the merits of the case and in view of the situation arising out of COVID-19 pandemic, I am of the view that petitioner can be enlarged on bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

29.09.2020  
*shabha*

**(RAJ MOHAN SINGH)**  
**JUDGE**

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