

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

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**CRM-M-31807-2020
Decided on : 15.10.2020**

Deepak

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.P.K.Hooda, Advocate, for the petitioner.

Ms.Deepshikha Chauhan, AAG, Haryana.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C., for grant of bail to the petitioner in case FIR No.178 dated 28.05.2020 under Sections 304-B & 34 IPC registered at Police Station Matlauda, District Panipat (whereas challan has been presented under Sections 306/498-A of IPC).

Counsel for the petitioner has contended that petitioner was arrested on 01.06.2020 and has been under custody for 3 ½ months. It is submitted that the co-accused, who is mother of the petitioner, has been granted anticipatory bail on 10.08.2020 in CRM-16346-2020 titled *Ompati Vs. State of Haryana & another*. It is submitted that the marriage between the petitioner and deceased was more than 10 years and there are 3 minor children from the said wedlock. Meena, the deceased wife of the petitioner had consumed poison and as per the MLR, there is no injury also. It is further submitted that as per the FIR also, the allegations were of murder by giving poison and there was no such allegations of abetment to suicide since the challan has also been presented under Section 306/498-A IPC. It is, thus, submitted that no useful purpose would be served by

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keeping the petitioner in further incarceration.

State Counsel also submits that there is no other criminal case pending against the petitioner and the investigation is complete and the case is now fixed for framing of charges on 15.11.2020.

Accordingly, keeping in view the above background of the petitioner, who has 3 minor children to look after due to the unfortunate death of their mother, the present petition is allowed. The petitioner shall be released on regular bail, to the satisfaction of the Ilaqa/Duty Magistrate, Panipat.

OCTOBER 15, 2020
sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No