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

**CRM-M No.37410 of 2020
Date of Decision: 19.11.2020**

SONU

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

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

Present: Mr. Anuj Thakur, Advocate
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

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.221 dated 26.08.2019, registered under Sections 304B, 498-A, 506 and 34 IPC at Police Station Israna City Panipat, Tehsil & District Panipat.

Petitioner is brother-in-law (jeth) of deceased Kavita. Marriage of Kavita was solemnized with Monu younger brother of the petitioner on 01.11.2018. Allegations of demand of dowry and harassment were made against husband of the deceased

Monu, mother-in-law Santosh, brother-in-law (jeth) Parveen, brother-in-law (jeth) petitioner-Sonu, sister-in-law (jethani) Rubi, sister-in-law (jethani) Priyanka, Asha and brother-in-law (nandoi) Ravinder. During investigation except Monu, Sonu and Santosh all other persons were found to be innocent. Petitioner along with Monu and Santosh were charged for the offences under Sections 304-B, 506 and 34 IPC.

Co-accused Santosh has already been granted regular bail by this Court vide order dated 24.09.2020 passed in CRM-M No.26098 of 2020.

Learned counsel for the petitioner submitted that no overt act has been attributed to the petitioner, except to allege that he along with others also demanded dowry including an amount of Rs.50,000/- and motorcycle from the complainant-party. Petitioner is in custody since 25.10.2019. Challan has been presented and charges have been framed. No prosecution witness has been examined so far except examination-in-chief of one of the prosecution witness.

The aforesaid factual position could not be denied by learned State counsel on instructions from the Investigating Officer. However, learned State submitted that long incarceration of the petitioner since 25.10.2019 is no ground to grant concession of regular bail as the offence alleged against

him is a heinous crime.

The husband of the deceased is still in custody. The prosecution story would be scrutinized with reference to the quality of evidence to be brought by the parties on record. The allegations made in the FIR are not the encyclopedia of the version and defence of the accused party.

Keeping in view the totality of facts on record at this stage, in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular 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/concerned Duty Magistrate.

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

November 19, 2020

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No