

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

CRM-M-41937-2019

Date of decision : 04.02.2020

Krishan Kumar

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vivek Sheoran, Advocate for
Mr. A.S. Lamba, Advocate
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. Amandeep Chopra, Advocate for
Mr. Vikas Bishnoi, Advocate
for the complainant.

MANJARI NEHRU KAUL, J (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.181, dated 15.06.2018, under Sections 306, 120-B and 34 of IPC (wherein sections 120-B and 34 of IPC were deleted in report under Section 173 Cr.P.C.), registered at Police Station Bhuna, District Fatehabad.

2. Learned counsel for the petitioner inter alia contends that it is the admitted case that the deceased was in a live-in-relationship with the petitioner herein and had been residing in the same house alongwith his family which included his mother and wife. It is further submitted that it is thus apparent that the petitioner's family were not averse to her residing in the said house and in fact when she jumped into the water tank of the adjoining house, it was the petitioner and his family who removed her immediately to the hospital. It has further been submitted that he has been behind bars since 16.06.2018, i.e. for more than one and a half year and the trial is unlikely to conclude in the near future.

3. Learned State counsel on the other hand while opposing the petition, submits that there are serious allegations levelled against the petitioner which do not entitle him to the concession of regular bail. However, he concedes that 6 out of 15 prosecution witnesses including the complainant have been examined till date.

4. Having considered the submissions made by either side, the petitioner has been behind bars admittedly since 16.06.2018 i.e. for for more than one and a half year, hence, further detention of the petitioner will not serve any useful purpose. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate, Fatehabad. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

04.02.2020

Dinesh

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No