

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

**CRM-M-44051-2019
Decided on : 03.02.2020**

Amit Yadav @ Chusa

... Petitioner(s)

Versus

State of U.T. Chandigarh

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Yashpal Thakur, Advocate
for the petitioner(s).

Mr. Kuldeep Tiwari, Addl. PP, UT Chandigarh
assisted by ASI Perjiwan Singh.

MANJARI NEHRU KAUL, J.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 315, dated 25.10.2018, under Section 304-B, 34 IPC, registered at Police Station Industrial Area, U.T., Chandigarh.

Learned counsel for the petitioner *inter alia* contends that allegations levelled against the petitioner are totally false in the FIR in question. It was a love marriage between the parties which was solemnized against the wishes of the parents of his deceased wife. They had approached this Court as well, seeking protection after their marriage. In fact, the parents of the deceased used to threaten her and their child with dire consequences, as a result of which, she would remain depressed, which was the cause of her consuming poison. It has further been contended that the petitioner is behind the bars since 25th October, 2018 and as many as 05 witnesses including the complainant have been examined till now and the trial is unlikely to conclude in the near future.

Learned State counsel has opposed bail application by

submitting that there are serious allegations. Learned State counsel does not controvert the fact that till now only 05 prosecution witnesses have been examined and also the fact that the petitioner along with his deceased wife, indeed, had approached this Court seeking protection of their life and liberty after their marriage.

Heard.

Having considered the submissions made by either side, the petitioners have been behind bars admittedly since 25th October, 2018 i.e. approximately one year and three months. The star witness i.e. the complainant has already been examined and the trial is not likely to conclude in the near future, 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. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 03, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*