

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

CRM-M-4287-2021 (O&M)

Date of decision: 24.03.2021

Sanjeev Kumar and another

...Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vinod Ghai, Senior Advocate with
Mr. Simrandeep Singh Sandhu, Advocate for the petitioners.

Mr. H.S. Multani, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioners in case FIR No. 168 dated 2.10.2020 under Section 304-B IPC registered at Police Station City-1, District Mansa.

Learned Senior counsel for the petitioners submits that the initial DDR, got recorded by the father of deceased-Vishakha, did not contain any allegations against the petitioners. Even, in the second statement, got recorded by the mother of the deceased, there were no allegations regarding the demand of dowry and it is only after 18 days, the sister of the deceased got recorded her statement and that too is general in nature.

As per the reply dated 09.03.2021 filed on behalf of the respondent-State, the charges were framed against the accused persons on 01.02.2021 and out of total 42 prosecution witnesses, 10 prosecution witnesses, including 9 private witnesses, were examined and all the private

witnesses were declared hostile, whereas another private witness, namely, Kritika, was given up and thereafter, the prosecution evidence was closed.

At this stage, Mr. Khushdeep Singh Mann, Advocate, appears and files power of attorney on behalf of the complainant, which is taken on record.

Learned State counsel assisted by the counsel for the complainant, while vehemently opposing the prayer for bail, submits that there being specific allegations against the petitioners regarding the harassment caused to the deceased on account of bringing insufficient dowry, they are not entitled to the grant of regular bail.

I have heard the learned counsel for the parties.

The petitioners have been in custody since the last week of October-2020 and as noticed above, the private witnesses have been declared hostile. Thus, no useful purpose would be served by keeping the petitioners behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioners are ordered to be released on regular bail on their furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

24.03.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No