

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

207

CRM-M-18709-2021 (O&M)

Date of Decision: 21.05.2021

Jitender

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Ivneet Singh Pabla, Advocate for petitioner.

Mr. Manish Dadwal, Assistant Advocate General, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

CRM-13264-2021

Allowed, as prayed for.

Main case

This petition under Section 439 Cr.P.C has been moved for grant of regular bail to petitioner-**Jitender** in case FIR No.294 dated 10.09.2020 under Section 304-B IPC read with Section 34 IPC (Sections 323 and 498-A IPC added later on), registered at Police Station Asauda, District Jhajjar.

Learned counsel appearing for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further urges that petitioner was not named in the suicide note. He further urges that petitioner is in custody since 14.09.2020

and he is no more required by the Police for any investigation purpose. He further urges that after presentation of challan, trial has already commenced and during course of trial, material prosecution witnesses namely PW-5 Karambir (uncle of deceased), PW-6 Shyam Singh (uncle of deceased), PW-7 Dilbag (father of deceased) and PW-8 Deva Singh (uncle of deceased) have already been examined and they have not supported the cause of prosecution. He further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing the cause of petitioner has vehemently argued that in view of seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition as well as testimonies of PW-5 to PW8.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 14.09.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court; that testimonies of material prosecution witnesses namely PW-5 Karambir (uncle of deceased), PW-6 Shyam Singh (uncle of deceased), PW-7 Dilbag (father of deceased) and PW-8 Deva Singh (uncle of deceased) have already been recorded and since trial of the case would take sufficient time to conclude,

no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Jitender** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Jhajjar, as the case may be.

(LALIT BATRA)
JUDGE

21.05.2021

Varinder Prashad

Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No