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

CRM-M-21065-2021

Date of decision : 10.08.2021

Manish Kumar

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr. Sushil Bhardwaj, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The present petition is filed under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.0446 dated 22.10.2018, registered under Sections 304-B and 34 of the Indian Penal Code, 1860, at Police Station Indri, District Karnal.

It has been contended that the petitioner is the husband of the deceased Charanjit Kaur, who died an unnatural death within eight months of the marriage. It has further been contended that the petitioner is behind bars from 23rd October, 2018 and there was no reason for harassing the deceased. He contends that in the present FIR, there are three accused i.e. the petitioner and his parents. He has drawn the attention of this Court to the bail granted to the co-accused Neelam vide order dated 27.04.2021. He

further contends that the trial is pending till date whereas, the petitioner is behind bars from almost last three years.

Mr. Manish Bansal, DAG, Haryana for the State, however, submits that there is no ground to grant the bail to the petitioner as the death has taken place within eight months of the marriage. However, he submits that in all there are 11 prosecution witnesses out of which 04 witnesses have been examined.

I have heard counsel for both the parties.

It is evident that the co-accused has already been granted bail by this Court and the petitioner is behind bars from 23rd October, 2018.

The trial is likely to take some more time for final disposal. In the overall facts and circumstances of the case and keeping in view the custody period undergone by the petitioner, I find that learned counsel for the petitioner has succeeded in making out a case for bail to the petitioner. The present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

10.08.2021
m. sharma

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