

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22021-2021

Date of Decision: 28.07.2021

Intjar

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ghulam Nabi Malik, Advocate, for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in case bearing FIR No. 517 dated 10.09.2019 under Sections 406/304-B/34 of IPC, registered at Police Station City Ballabgarh, District Faridabad.

Learned counsel for the petitioner has submitted that it is a case where the wife of the petitioner had committed suicide due to reasons which have been mentioned in para No.8 of the petition and in the FIR the allegations were that there was a demand of dowry. He submitted that it is a case where concocted story has been made in the FIR and the petitioner is already facing trial and is in custody since 11.09.2019 which is about 1 year and 10 months. He submitted that the material witnesses have already been examined i.e. the complainant as well as the daughter of the complainant and the trial of the case would take long time and no useful purpose will be served in case the petitioner

is kept in custody for long time. He has submitted that the petitioner is in not involved in any other case.

On the other hand, Mr. Naveen Singh Panwar, learned Deputy Advocate General, Haryana has submitted that it is correct that the petitioner is in custody since 11.09.2019 and two material witnesses have already been examined. He has however opposed the grant of bail to the petitioner on the ground that it was a case of death of the wife of the petitioner and the allegations were pertaining to dowry death and the matter being serious in nature, he may not be granted regular bail. So far as the non-involvement of the petitioner in any other case is concerned, the learned State counsel has not denied the same.

I have learned counsel for the parties.

The custody period of the petitioner is not in dispute and both the material witnesses have already been examined. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper evidence or may flee from justice.

Therefore, without commenting on the merit of the case and considering the totality of circumstance, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

28.07.2021

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No