

235 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)

CRM-M-22083-2021
Decided on : 26.08.2021

Tarif

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. D.S.Matya, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

Ms. Rosi, Advocate for the complainant.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.287 dated 24.07.2020 registered under Sections 304-B, 406 and 34 IPC,1860 at Police Station Bilaspur District Gurugram.

Learned counsel for the petitioner *inter alia* contends that false implication of the petitioner in the FIR in question is evident from the fact that as many as four persons named in the FIR along with the petitioner were exonerated by the investigating agency. He further submits that in fact the wife of the petitioner i.e. deceased was suffering from depression and it was due to this reason she consumed poison. Still further, learned counsel submits that only final report under Section 173 Cr.PC stands presented before the Court below, hence, the petitioner be extended the concession of bail as he has been in custody since 05.09.2020

Per contra, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the prayer of learned counsel for

the petitioner by submitting that the petitioner subjected his deceased wife to continuous mental and physical torture during the five years of their marriage as they were dis-satisfied with the dowry received. Learned State counsel further submits that due to the continuous harassment meted out, the deceased consumed poison and died in her own matrimonial home. Learned counsel for the State as well as counsel for the complainant have vehemently controverted the submissions made by learned counsel for the petitioner that the deceased committed suicide on account of depression. It has been urged that the deceased had no history of depression as stated by the counsel for the petitioner and there was no MLR even on record to substantiate factum of the deceased suffering from depression. It has also been submitted that prosecution evidence has not yet commenced and in case the petitioner is extended the concession of bail, there is every likelihood that he may tamper with material evidence and witnesses and try to influence them to depose in his favour.

Heard.

Prima facie there are serious allegations levelled against the petitioner for which he does not deserve the concession of bail. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

26.08.2021
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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No