

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-22135-2021

Date of decision: 11.06.2021

Vikas

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

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

Mr. Gurmeet Singh, AAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Vikas, stated to be aged 23 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.299 dated 27.07.2020 (Annexure P-1), registered under Sections 304-B, 498-A and 34 of Indian Penal Code, at Police Station Sector 10-A, Gurugram.

Learned counsel for the petitioner, by making reference to the FIR, submits that as per allegations, the complainant is stated to have received a telephonic information that his daughter Kunti (wife of the petitioner) has ended her life. He then submits that in fact marriage of the petitioner and the deceased was a love marriage and they had sought joint protection from the Court for their life and liberty on account of their marriage. He then submits that parents of the petitioner have already been

released on bail vide order dated 26.03.2021 (Annexure P-2).

Notice of motion.

On asking of the Court, Mr. Gurmeet Singh, AAG, Haryana, accepts notice on behalf of the State.

On instructions from ASI Arun, learned State counsel submits that out of the wedlock, there is a minor daughter.

On a query put by the Court, it is submitted that daughter is as of now, staying with family of the petitioner. Learned State counsel does not dispute the factual position however opposes the bail on merits.

Faced with the situation, learned counsel for the petitioner submits that he has instructions from the petitioner to submit that in order to show his bona fide, the petitioner would get an FDR worth Rs.5,00,000/- (rupees five lacs only) made in the name of his daughter.

Learned counsel for the petitioner also submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

In addition to the above said bail/surety bonds, in pursuance to the offer made by counsel for the petitioner, the petitioner would deposit an

FDR of Rs.5,00,000/- (rupees five lacs only) made in the name of his daughter, to the trial Court. The trial Court shall hand over the said FDR to an appropriate person to ensure that the FDR amount shall be utilized for the welfare of the minor and shall be given to her on her attaining majority.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

11.06.2021

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No