

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22656-2020 (O&M)
Date of decision: 18.02.2021

Ravinder Kumar @ Mangu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vivek Goyal, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Mr. Manjeet Singh, Advocate for
Mr. Virender Soni, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.292 dated 02.09.2019 under Sections 201, 304-B, 34 IPC, registered at Police Station Chandimandir, District Panchkula.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Sukhbir Singh, it is stated that marriage of his daughter Komal was performed with petitioner Ravinder Kumar @ Mangu and after some time, her in-laws i.e. father of the petitioner, demanded dowry articles on the pretext that the same are not given as per their expectations. It is

further stated that on account of demand of dowry, the accused persons, by sprinkling inflammable oil, has committed murder of his daughter. It is further submitted that the petitioner is in custody since 11.09.2019 and a period of more than 01 year and 05 months has already passed and the complainant, who appeared as PW1, did not support the prosecution version, as he stated that his daughter Komal has committed suicide by setting herself ablaze. It is also stated that neither the petitioner nor his family members have demanded any dowry. This witness was declared hostile and was cross-examined by the Public Prosecutor, wherein he even denied having made a complaint to the police on the pretext that his signatures were obtained without going through the contents.

Learned counsel for the petitioner has relied upon statement of PW2 Dharamvir as well as PW3 Kuldeep, two witnesses regarding allegations of demand of dowry. Both these witnesses have also not supported the prosecution version, by stating that the petitioner or his family members did not harassing Komal. Even these witnesses were declared hostile and they denied having made any statement to the police under Section 161 Cr.P.C. Apart from the statements of aforesaid three witnesses, learned counsel has relied upon the affidavit given by complainant Sukhbir Singh to this effect.

Learned State counsel, on the basis of affidavit of Assistant Commissioner of Police, Panchkula, has submitted that FIR was registered on the complaint given by complainant Sukhbir Singh. Learned State counsel, assisted by learned counsel for the complainant, could not dispute the fact that the complainant has not supported the prosecution version.

Learned counsel for the complainant has additionally submitted that he has no objection if bail is granted to the petitioner and upon verification, it was found that the petitioner was not at fault and since the petitioner and daughter of the complainant performed love marriage, she committed suicide because of her own problem.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and circumstances of the case, especially in view of the fact that complainant and other two relevant witnesses have not supported the prosecution version, I find that no purpose will be served by keeping the petitioner in judicial custody.

Accordingly, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

18.02.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No