

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 36018-2021 (O&M)
Date of Decision: 17.09.2021
(Heard through VC)

Ravi Chand

..... Petitioner

VERSUS

State of Haryana

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. J.S. Bedi, Senior Advocate with
 Mr. Sunil Sihag, Advocate
 for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

JAISHREE THAKUR, J.(Oral)

CRM-29776-2021

Documents Annexures P-8 to P-10 are taken on record .

Application is allowed.

CRM-M- 36018-2021

The instant petition has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in FIR No. 221 dated 18.06.2021,
under Sections 304-B IPC registered at Police Station Urban Estate,
Rohtak, Haryana.

Learned Senior counsel appearing for the petitioner would contend
that the allegations made in the FIR are not sustainable. In fact the deceased
who is the wife of the petitioner committed suicide, not on account of

demand of dowry but on account of the fact that she was under depression as would be evident from Annexure P-3, according to which doctor opined that she was suffering from *neurosis anxiety disorder*, which anxiety was caused because of the conduct of a family member, who was nominated under Section 364 under Section 302 IPC and the Arms Act and a subsequent FIR No. 170 dated 14.06.2021 under Sections 302 IPC and the Arms Act was also filed. It is argued that the deceased who was not having her parents and was brought up by Dharmender Singh, her uncle who too had been nominated as an accused on 11.06.2021 under Sections 306 and 34 IPC in FIR No. 319 registered at Police Station Sampla. It is argued that the allegation of demand of dowry is not sustainable as the father in law of the deceased was regularly depositing money in the account of the deceased. Apart from that the petitioner himself had given money to the brother of the deceased which was returned on 12.02.2021 which was being taken (as payment made on account of a demand). It is further argued that there is enough evidence available on the record that would substantiate that on the day of the suicide, the deceased demanded some food, which was also done. It is also argued that the complainant himself is a man of dubious antecedents and is on run after the registration of above said FIR against him. It is contended that the minor daughter Divianshi is currently residing in her paternal home. It is submitted that that matter stands investigated and the challan stands presented and the trial is likely to take time to conclude.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that offence alleged against

the petitioner is serious in nature, however, does not dispute the fact that the statement of the material witnesses have been recorded.

I have heard learned counsel for the parties.

The trial is likely to take some time to conclude. The petitioner herein has been in custody since 19.06.2021. The matter stands investigated and the challan stands presented. The statement of the material witnesses has been recorded. No useful purpose would be served in keeping the petitioner behind bars any longer. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bond of Rs. 02 lac each to the satisfaction of concerned trial Court/Duty Magistrate.

Anything observed in this order shall not be construed as an expression of opinion on merits of the case.

17.09.2021

seema goran

(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No