

**CRM-17601-2021 in/and
CRM-M-41582-2020**

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-17601-2021 in/and
CRM-M-41582-2020
Date of Decision: July 12, 2021**

Vicky @ Vikas Dahiya
Versus

.....Petitioner

State of Haryana

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Amit Choudhary,Advocate
for the applicant-petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana.

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RAJESH BHARDWAJ, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

CRM-17601-2021

For the reasons mentioned in the application, the same is allowed and CRM-M-41582-2020 is taken up on Board today itself.

CRM-M-41582-2020

Instant petition has been filed under Section 439 Cr.P.C. praying for grant of regular bail to the petitioner in case FIR No.433, dated 13.12.2019, under Sections 304-B,498A, 34 IPC, registered at Police Station Old Faridabad, District Faridabad.

Petitioner before this Court is the husband of deceased-Mannu.

It has been contended that the offence under which the petitioner has been

implicated is only because he is husband of the deceased otherwise the allegations are false. Learned counsel further contends that the petitioner is behind bars since 16.12.2019 and examination of the prosecution witnesses has already commenced. It is further contended that FIR in question was lodged by father of the deceased, namely, Netrapal, who has been examined by the trial Court and he did not support the case of prosecution and thus, was declared hostile. He further argues that this situation would in itself show that the petitioner is falsely implicated as crucial witness has already turned hostile. In the circumstances he prays that petitioner may be granted bail.

Mr.B.S.Virk, Deputy Advocate General, Haryana, submits that the fact regarding arrest of the petitioner is correct and complainant of the FIR, as contended by counsel for the petitioner, has already been examined and he did not support the case of prosecution. It is further submitted that there are in all 27 prosecution witnesses, out of which 4 have been examined. He opposed the grant of regular bail to the petitioner.

In totality of the facts and circumstances, I find that counsel for the petitioner has made out a case for grant of bail to the petitioner. The trial would take some time for its conclusion and no purpose would be served by keeping the petitioner behind the bars for further period.

Application is allowed.

Bail to the satisfaction of trial Court/Duty Magistrate concerned.

July 12, 2021
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(RAJESH BHARDWAJ)
JUDGE

1. Whether speaking/reasoned ?
2. Whether reportable ?

Yes/No
Yes/No