

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

201

**CRM-M-50341-2019 (O&M)
Decided on : 09.04.2021**

Sachin alias Krishan

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. K.L. Saini, Advocate,
for the petitioner(s).

Mr. Rajiv Goel, DAG, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 276, dated 18.05.20218, under Sections 304-B, 34 IPC, registered at Police Station Safidon, District Jind, as the earlier one having been dismissed as withdrawn on 21st August, 2019.

On a pointed query put to learned counsel for the petitioner as to what was the change in the circumstances, which would warrant acceptance of the instant petition, he has submitted that despite the petitioner having been behind bars since 20th May, 2018, only 04 prosecution witnesses have been examined so far. Hence, there is no likelihood of the trial concluding anytime in the near future.

Learned counsel for the petitioner has further submitted that a false and frivolous case has been foisted upon the petitioner by the

complainant, who was averse to the marriage of his deceased daughter with the petitioner. He has submitted that in fact the petitioner and the deceased had solemnized a love marriage and no dowry was demanded as alleged by the complainant. He submitted that the deceased died due to an accidental fire. Learned counsel has further submitted that the co-accused i.e. both sisters-in-law and mother-in-law i.e. Reena, Monika and Ram Rati, respectively, have since been extended the concession of regular bail.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, has submitted that the delay in the conclusion of the trial has been on account of the outbreak of the pandemic COVID-19 and per his instructions 14 prosecution witnesses remained to be examined. He has submitted that the remaining prosecution witnesses are likely to be examined in the near future.

Learned State counsel has controverted the submissions made by learned counsel for the petitioner by submitting that the deceased was subjected to both mental and physical harassment, which is evident from the fact that only 03 days prior to the date of occurrence, the deceased had returned to her matrimonial home after a Panchayat had intervened and tried to resolve the differences between the parties. He has further submitted that the deceased died on account of a fire which she caught inside her bedroom, hence, it could not be said to be an accidental fire.

Heard.

Prima facie, there are serious allegations against the petitioner for which he does not deserve the concession of regular bail. Petition stands dismissed accordingly.

Since the petitioner has been in custody since 20th May, 2018, the trial Court concerned is directed to expedite the trial and conclude the same positively on or before 30th November, 2021. However, anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

April 09, 2021

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No