

SUMIT KUMAR @ SONU

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Amit Kumar Jain, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been circulated today and the same is taken on record.

Mr. Ashok K. Sharma (Bhana), Advocate has put in appearance on behalf of the complainant and filed Vakalatnama, which is taken on record.

Sumit Kumar @ Sonu-petitioner is seeking regular bail in the case bearing FIR No.269 dated 26.07.2021 under Sections 304-B/201/498-A/34 IPC, 1860, registered at Police Station Sadar Narwana, District Jind.

Briefly, the FIR has been registered on the basis of the statement of Pankaj alleging that the marriage of his sister, namely, Neha was solemnized on 10.03.2019 with the petitioner. Sufficient dowry articles were given at the time of marriage but the family members of her in-laws were not happy with the same. The petitioner and his relatives had been torturing Neha for bringing less dowry. About 02 months prior to the occurrence, she was brought to her parental house. On 26.07.2021, being fed up from her husband, mother-in-law and sister-in-law Neha consumes some poisonous substance and committed suicide.

Learned counsel for the petitioner contends that there are false and

vague allegations levelled in the FIR. There is no demand of any specific article as putforth in the FIR. Furthermore, the co-accused has been granted bail. The occurrence took place in the parental house of the petitioner as she had gone back to her parental house about 02 months prior to the occurrence.

Learned State counsel and counsel for the complainant have opposed the bail on the score that there are serious allegations levelled against the petitioner. The death has occurred within a period of 04 years from the date of marriage. Moreover, there are letters written by the deceased and WhatsApp messages to indicate that the demand raised by the petitioner and the co-accused and cruelty being meted out to her.

Be that as it may, it is significant to note that the deceased has been residing in her parental house about 02 months prior to the occurrence. The occurrence took place in her parental house. There is no allegation with regard to demand of any specific article in the FIR. The petitioner is in custody for a period of 07 months and 29 days. The investigation of the case is complete, challan has already been presented, charges have been framed and the conclusion of the trial is likely to take sometime. As such, no fruitful purpose will be served by detaining the petitioner in further custody and sufficient mitigating circumstances are made out to extend the concession of the bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

12.05.2022
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No