

207

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

**CRM-M-1598-2022
Date of decision: 18.04.2022**

MAHINDER

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Ashish Grewal, Advocate
for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 0276 dated 22.06.2020, under Sections 304-B, 498-A, 316 and 34 of the IPC, registered at Police Station Farakpur, District Yamuna Nagar, Haryana.

As per the prosecution story, on 22.06.2020, on receipt of information regarding hanging of Batti @ Priyanka, ASI Anil Kumar reached the spot and found that her dead body was lying on the cot. After some time, her father Ram Dhan reached the spot and made a statement that his daughter was married with Sunny on 23.11.2019. Though sufficient dowry was given in the marriage, yet after some time, her husband Sunny, father-in-law and mother-in-law started torturing his daughter for bringing insufficient dowry

and they also used to beat her. On 21.06.2020, mother of the deceased was informed by her that her in-laws had given her beatings for not bringing sufficient dowry. On the next day, the complainant received a telephonic call that Batti @ Priyanka had hanged.

Learned counsel for the petitioner herein would contend that the petitioner herein has been falsely implicated in the present case. There is no specific allegation against the petitioner herein that any dowry was demanded or any beating was given to the deceased by the present petitioner. He further contends that the petitioner was living separately since the marriage of the deceased with his son. He submits that the petitioner herein is in custody since 24.06.2020. Investigation is already complete and the trial is likely to take a long time to conclude.

Per contra, learned State counsel would oppose grant of bail to the petitioner by contending that the allegations against the petitioner are serious in nature. He however submits that out of total 26 prosecution witnesses cited, 17 have already been examined.

I have heard learned counsel for the parties and have also perused case file.

Without commenting on the merits of the case and keeping in view of the fact that the petitioner is in custody since 24.06.2020 and the material prosecution witnesses have already been examined, no useful purpose would be served in keeping the petitioner behind bars any longer, the instant petition is allowed and the petitioner is directed to be released on regular bail subject to his furnishing the personal as well as surety bonds in the sum of Rs.2,00,000/- each to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this Court is only for the purpose of deciding the instant petition and the same shall have no effect on the merits of the case.

18.04.2022

Chetan Thakur

(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable : Yes No