

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

214

**CRM-M-8131-2022
Decided on : 03.03.2022**

Manoj

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Satbir Singh Kanwar, Advocate
for the petitioner(s).

Mr. Tanuj Sharma , AAG, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No. 312, dated 24.08.2019, under Sections 304-B, 34 of IPC (later on added Section 306 of IPC), registered at Police Station Beri, District Jhajjar).

Learned counsel for the petitioner submits that the petitioner has been in custody since 24th September, 2016 and the trial has not concluded as only 11 out of the 21 prosecution witnesses cited, stand examined so far. He further submits that since the material witness i.e. the complainant has been examined, his further incarceration would not serve any useful purpose. Still further, while inviting the attention of this Court to the allegations levelled in the FIR, learned counsel has submitted that totally vague allegations have been levelled against the petitioner of harassing his deceased wife, as a result of which, she consumed poison. He further submits that there are no specific allegations levelled in the FIR with respect to the alleged dowry demands as well. In addition to this, the suicide note left behind the deceased also reveals that no allegation had been levelled against the petitioner therein.

Per contra, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. She has submitted that no doubt the petitioner was initially arrested on 24th September, 2016,

however, subsequently, he was extended the concession of interim bail, as the Forensic Science report *qua* the suicide note left by the deceased had not been received till then. After the petitioner had surrendered on 20.08.2021, all the material witnesses including the complainant had been examined, who in their deposition supported the prosecution on all material aspects. She has further submitted that only formal witnesses remain to be examined, hence, the trial would be concluding shortly. It has also been submitted by the learned State counsel that a perusal of the FIR in question clearly reveals that there were specific allegations levelled against the petitioner of subjecting the deceased to continuous harassment in particular, with respect to the demands of dowry.

I have heard learned counsel for the parties and perused the relevant material on record.

Prima facie, there are serious and specific allegations levelled against the petitioner of subjecting his deceased wife to continuous cruelty on account of dowry demands. This Court is, thus, not inclined to extend the concession of bail to the petitioner, more so, since only formal witnesses remain to be examined and trial thus would not take much time to conclude.

Petition stands dismissed. However, anything contained hereinabove, shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 03, 2022

J.Ram

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>