

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

CRM-M-32495-2021 (O&M)
Date of decision: May 31, 2022

Ajay Kumar Sharma

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. N.K.Verma, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG Haryana.

Mr. Gaurav Vir Singh Behl, Advocate for
Mr. Akashdeep Singh, Advocate,
For the complainant.

ARUN MONGA, J. (ORAL)

This is third foray of the petitioner before this Court, seeking regular bail in FIR No.235 dated 05.11.2019, registered under Section 304-B, 498-A, 506 IPC, to which Section 302 IPC was added later, at Police Station Sector 6, Bahadurgarh, District Jhajjar as the earlier one having been dismissed as withdrawn on 03.09.2020 and second bail petition was dismissed on 08.01.2021.

2. Per FIR, the petitioner got married to deceased on 18.01.2013. Allegations are that he harassed and maltreated his wife for want of dowry. His wife was found hanging/dead on 04.11.2019. On the basis of statement of brother of deceased, present case has been registered, wherein offence under Section 302 IPC has also been added during investigation.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. No offence under Sections 498-A, 304-B, 302, 506 IPC is made out against the petitioner. He submits that marriage of the petitioner with the deceased was solemnized on 18.01.2013. The FIR was registered on 05.11.2019 i.e. after more than 6 years and 9 months of the

marriage. Complainant registered the present case against the petitioner just to harass and extract the money from the petitioner. Petitioner is in custody since 05.11.2019.

4. Learned counsel for the petitioner further submits that Challan has already been presented and the charges have also been framed. Prosecution testimonies are already underway and conclusion of trial will take long time and no useful purpose would be served by keeping the petitioner behind the bars.

5. *Per contra*, learned State counsel opposes the bail plea and submits that no worthy grounds are made out for granting the petitioner the concession of bail.

6. I have heard the rival contentions of the respective learned counsels.

7. Having heard learned counsel for the petitioner and learned State counsel, no ground is made out to grant any benefit to the petitioner, at this stage. However, it is made clear that trial Court shall not grant any unnecessary adjournments and the petitioner is at liberty to approach the learned Sessions Court after the completion of recording of prosecution testimonies and Court below is also at liberty to entertain the bail petition, if moved and pass fresh orders, as it may deem fit, without being influenced by the dismissal of earlier bail petitions by this Court.

7. Disposed of accordingly.

(ARUN MONGA)
JUDGE

May 31, 2022

vandana

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No