

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

224

CRM-M-30468-2021

Date of decision: 23.02.2022

Paramjit Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Aman Pal, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana
for the respondent-State.

Mr. B.S. Bajwa, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.62 dated 07.04.2021 lodged under Section 306 IPC (Section 304-B IPC added lateron) registered at Police Station Jathlana, District Yamuna Nagar.

Learned counsel for the petitioner, while inviting the attention of this Court to the contents of the FIR (Annexure P-1) which was registered at the instance of the brother of the deceased, submits that a perusal of the allegations levelled therein leave no manner of doubt that totally general and vague allegations have been made against him. Learned counsel still further submits that all the allegations levelled therein are against co-accused Lakhwinder Singh (brother of the petitioner) and still further there is not even any whisper with regard to any harassment meted out to the deceased on account of any dowry demand. Learned counsel submits that the petitioner, who is a 58 years

old man and is admittedly suffering from various medical ailments, has now been in custody since 07.04.2021 and there is no likelihood of the trial concluding in the near future as an application moved under Section 319 Cr.P.C. for summoning of additional accused-Gurdeep Kaur, to face trial, has been allowed as a result of which the trial will commence all over again.

Learned State counsel has filed the medical status report of the petitioner in compliance of order dated 15.02.2022 which is taken on record subject to all just exceptions. The medical status report reveals that the petitioner is being continuously medically treated for various ailments including having been hospitalized at Government Hospital, Yamuna Nagar as also at GMCH, Sector 32, Chandigarh.

Learned State counsel assisted by learned counsel for the complainant while opposing the prayer for grant of bail to the petitioner, submits that the deceased died an unnatural death by hanging herself, within seven years of her marriage due to the harassment meted out to her by all the accused including the petitioner who is her father-in-law. She submits that conclusion of the trial has been delayed on account of an application moved under Section 319 Cr.P.C. for summoning of additional accused, which stands allowed by the trial Court.

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

No doubt the petitioner has been named as one of the accused along with others in the FIR, however, so far as the petitioner is concerned, the allegations prima facie appear to be of general nature,

without there being any specific role attributed to him, in the crime in question. In the circumstances coupled with the fact that the petitioner is in judicial custody for the last about one year and that he is also suffering from some medical ailments as pointed out above, this Court deems it a fit case to allow bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

23.02.2022

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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