

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

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**CRM-M No.8174 of 2022
Date of Decision : 8.5.2023**

*Ajay**..... Petitioner**versus**State of Haryana**..... Respondent*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Gautam Dutt, Advocate, for the petitioner

Ms. Mahima Yashpal, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

This is a petition under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No.317 dated 21.8.2020 under Sections 304-B, 34, 498-A and 506 IPC (Charges framed under Sections 498-A, 304-B read with Section 34 and 506 IPC and alternative charge under Sections 302 read with Section 34 IPC) registered at Police Station Rohtak Sadar, District Rohtak.

2. Learned counsel for the petitioner contends that marriage between the petitioner/husband and the deceased/wife was solemnised on 10.7.2018. She had first miscarriage on 17.4.2019 and second one on 25.5.2020. Due to that she had serious medical problems, and the doctors found that she would not be able to conceive. She committed suicide by hanging on 21.8.2020. It is further submitted that there is no specific allegation in the FIR that she was subjected to any harassment or cruelty on account of dowry by the petitioner soon before death. After completion of investigation, final report under Section 173 (2) Cr.P.C. was presented on 13.10.2020. As of now, eight out of nineteen prosecution witnesses already stands examined, which include the complainant

also.

4. Learned State counsel, on instructions from ASI Rakesh, does not dispute that ten official witnesses still remain to be examined and the petitioner is in custody since 23.8.2020, who has no other case pending against him.

5 The submissions of learned counsel for the parties have been considered. Keeping in view the facts aforestated, it is apparent that trial of the case will take some time to conclude as ten more witnesses remain to be examined. The petitioner is in custody for over two years and eight months and has no criminal antecedents. There is no apprehension of his influencing the witnesses as all of them are officials. Therefore, no useful purpose will be served by confining the petitioner to custody any longer.

7. Accordingly, the petition is allowed. The petitioner is ordered to be released on bail to the satisfaction of the trial Court/Duty Magistrate concerned.

(TRIBHUVAN DAHIYA)
JUDGE

8.5.2023
Ashwani

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