

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

**CRM-M-7914-2023
Date of decision: 27.04.2023**

BHAGWAN JI KAMAT

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Kartar Singh, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG, Haryana.

VIVEK PURI,J. (ORAL)

1. Custody certificate of the petitioner has been circulated today and the same is taken on record.
2. Bhagwan Ji Kamat-petitioner is seeking regular bail in the case bearing FIR No.52 dated 17.01.2022 under Section 304-B IPC registered at Police Station City Fatehabad, District Fatehabad.
3. Learned counsel for the petitioner contends that FIR has been registered on the basis of the statement of Chhote Lal alleging that the marriage of his daughter, Rakhi was solemnized with the petitioner on 26.04.2021. The petitioner had been harassing the deceased on account of demand of dowry. The deceased had committed suicide on 15.01.2022 by hanging herself. It has been further submitted that during the course of trial, the complainant, who is father of the deceased has not supported the prosecution version. Even, Ram Kishan, the landlord of petitioner has also not supported the prosecution version. The petitioner is in custody for a period of 01 year, 03 months and 08 days and is not involved in any other case.

has opposed the bail application on the score that the death has occurred otherwise than under normal circumstances within a period of 01 year and the deceased was being maltreated and harrassed on account of demand of dowry. Furthermore, so far only 03 out of 20 witnesses have been examined.

5. It is significant to note that the father of the deceased on the basis whose statement FIR has been registered has not supported the prosecution version during the course of trial. It is emerging in his statement that the deceased has committed suicide due to depression. He has also denied the allegations with regard to demand of dowry and further stated that the deceased was never given beatings by the petitioner. Furthermore, the landlord of the petitioner in whose rented house the occurrence took place has also not supported the prosecution version. So far, only 3 out of 20 witnesses have been examined. The conclusion of trial is likely to take sometime. No fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

6. Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. The petition is allowed accordingly.

27.04.2023

renubala

(VIVEK PURI)
JUDGE

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