

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

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**CRM-M No. 8037 of 2023
Date of Decision : 2.3.2023**

Jatinder Dutt Sharma

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Ms. Manpreet Ghuman, Advocate, for the petitioner
Mr. Kunal Vinayak, AAG, Punjab

TRIBHUVAN DAHIYA J. (ORAL):

This is a petition under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No.84 dated 16.6.2022 under Sections 304-B and 120-B IPC, registered at Police Station Anaj Mandi, District Patiala.

As per allegations in the FIR, the complainant's daughter died on 7.5.2021 in hospital. He reached there along with his family, on being informed by his son-in-law, and got his statement recorded that he had no doubt of any kind either upon his son-in-law or his parents regarding his daughter's death. The police did not take any action in the matter. After more than a year thereafter, the FIR in question was lodged on 16.6.2022. Learned counsel for the petitioner contends that the story, therefore, is not believable. Still there are no direct allegations of harassment on account of dowry against the petitioner, who is father-in-law of the deceased. The offences as alleged are not made out against him. Co-accused/brother-in-law of the deceased has already been admitted to regular bail by this Court under similar circumstances vide order dated 12.1.2023. It is further contended that the petitioner is in custody since 16.6.2022, and charges have been framed.

Learned State counsel, on instructions from SI Angrej Singh, opposes the grant of bail to the petitioner on the ground that trial has commenced and nineteen prosecution witnesses will soon be examined. He further submits that as per viscera report, the deceased died due to poison.

The facts aforestated have been considered. Culpability of the petitioner is a matter of trial, which will take long time to conclude since none of the nineteen witnesses has been examined so far. Investigation of the case is complete, and the petitioner is in custody since 16.6.2022. Therefore, no purpose will be served by confining him to custody any longer.

Accordingly, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(TRIBHUVAN DAHIYA)
JUDGE

2.3.2023
Ashwani

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