

2023:PHHC:086635

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

CRM-M-26970-2023

Date of Decision: 12.07.2023

ANMOL ADLAKHA

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Gautam Dutt, Advocate for
Ms. Sukriti Rai, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Additional Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

1. The petitioner is seeking regular bail in the case bearing FIR No. 0384 dated 07.07.2022 under Sections 304-B, 323, 406, 498-A and 34 IPC registered at Police Station Faridabad Kotwali, District Faridabad.
2. Custody certificate has been placed on record.
3. Status report has not been furnished despite opportunities.
4. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the deceased about 03 years prior to the occurrence. The allegations against the petitioner and other relatives are to the effect that the deceased was being harassed for bringing dowry and getting the house transferred in her name. The death had occurred on 07.07.2022 on account of hanging. The mother, sister and two maternal uncles of the deceased have not supported the prosecution case and no other private witness/relative remain to be examined. The petitioner is in custody for a period of 11 months and 23 days and the parents of the petitioner have been granted regular bail.

5. Learned State counsel has not disputed the aforesaid fact that the complainant, who is mother of the deceased, alongwith sister and two maternal uncles have not supported the prosecution version but has submitted that the death has occurred within a period of 07 years from the date of marriage in the house of the petitioner. There is allegation with regard to demand of dowry and the death has occurred other than the normal circumstances.

6. Be that as it may, there is specific and categoric statement of the complainant, who is mother of the deceased, sister and two maternal uncles recorded during the course of trial that no demand of dowry was ever raised, the deceased was suffering from ailment and used to remain in depression. The petitioner is in custody for a period of 11 months and 23 days and not involved in any other case. The material witnesses have not supported the prosecution version. The list of witnesses indicates that no other private witness or relative remains to be examined.

7. In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

12.07.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No