

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

CRM-M-29650-2023

Decided on:-09.06.2023

Anil @ Babli

....Petitioner..

VS.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Sarfaraj Hussain, Advocate,
for the petitioner.

Mr. R.K. Ambavta, AAG, Haryana assisted by
ASI Manoj Kumar.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of bail pending trial in case FIR No.193 dated 13.07.2022, under Sections 498-A, 406, 304-B and 34 IPC, registered at Police Station Dhauj, Faridabad, Haryana.

2. As per allegations, the petitioner happens to be the elder brother-in-law of deceased-Usha, who used to demand dowry from her parents along with her husband.

3. Learned counsel for the petitioner submits that the petitioner has already suffered incarceration for almost 11 months, the investigation in the present case already stands concluded with the filing of *challan* and the trial is thus, likely to take some time.

4. On the other hand, learned State counsel vehemently opposes the prayer made on behalf of the petitioner while submitting that the petitioner

being the eldest in the family was instrumental in the matrimonial discord between the deceased and her husband.

5. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

6. In the present case, the petitioner has already suffered incarceration for almost 11 months and the investigation in the present case already stands concluded with the filing of *challan* and trial is likely to take some time. Considering the fact that no specific instance has been mentioned in the FIR, involving the petitioner as regards demand of dowry from the parents of deceased, the petitioner being the first offender not involved in any other case and there being no specific allegations against him in the FIR, I do not find any justified reason to extend his incarceration any further.

7. Without commenting anything on the merits, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

09.06.2023
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(HARKESH MANUJA)
JUDGE

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