

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

**CRM-M-38447-2023
Date of decision: 11.08.2023**

RAKESH SINGH

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Mr. Surinder Kumar Dagar, DAG, Haryana.

VIVEK PURI, J. (ORAL)

1. Custody certificate of the petitioner has been circulated today and the same is taken on record.
2. Rakesh Singh-petitioner is seeking regular bail in the case bearing FIR No.430 dated 27.07.2022 under Sections 306/323 IPC, 1860, registered at Police Station City Bhiwani, District Bhiwani.
3. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the deceased about 16 years prior to the occurrence. Besides, the petitioner, the allegations were levelled against 05 other relatives who were found innocent and challan has been presented only against the petitioner. The allegations against the petitioner are to the effect that in the state of intoxication, he had been giving beatings to the deceased and on that score she committed suicide by consuming salphos tablets. There is nothing to suggest that during the lifetime of the deceased any complaint was submitted at any forum either by her or any member of her parental family against the petitioner. The petitioner is in custody for a period of 01 year and 05 days and is

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not involved in any other case.

4. Learned State counsel submits that as per the postmortem examination report, there were 06 injures on the person of the deceased which were inflicted upon him two days prior to the occurrence and it substantiates the version of the prosecution. It has been further stated that out of 22, 06 witnesses have been examined.

5. The marriage of the petitioner was solemnized with the deceased about 16 years prior to the occurrence. There is nothing to suggest that during the lifetime of the deceased any complaint was submitted at any forum either by her or any member of her parental family against the petitioner. The petitioner is in custody for a period of 01 year and 05 days and is not involved in any other case. Still 16 more witnesses remain to be 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.

11.08.2023
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(VIVEK PURI)
JUDGE

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