



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

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**CRM-M-26506-2024 (O&M)
Date of decision : 13.08.2024**

SATENDER

....Petitioner

VERSUS

STATE OF HARYANA

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Amandeep Vashisth, Advocate for the petitioner.

Mr. Pankaj Middha, Addl. AG Haryana for the respondent.

Mr. Surinder Gaur, Advocate for the complainant.

ALKA SARIN, J.

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.297 dated 18.07.2022 under Sections 304-B and 498-A and Sections 406 and 506 (added later on) of the Indian Penal Code, 1860 registered at Police Station IMT, District Rohtak. The first two bail petitions being CRM-M-4527-2023 and CRM-M-23517-2023 were dismissed as withdrawn vide orders dated 15.02.2023 and 13.12.2023 respectively.

2. Learned counsel for the petitioner would contend that the petitioner in the present case has been in custody for a period of 2 years and 24 days. Learned counsel would further contend that out of 21 prosecution witnesses, only 3 have been examined till date. It is further the contention that the petitioner has been implicated in a false case and that it was a case of suicide. It is still further the contention that there is nothing on the record to

show that there was any demand of dowry.

3. *Per contra*, learned counsel for the complainant as well as learned counsel for the State have referred to the status report to contend that the deceased in the present case was harassed for not bringing dowry and she herself had moved a complaint in this regard in the Women Police Station, Narnaul and that the complainant had alleged that his daughter (deceased) was murdered by the petitioner herein. Learned counsel for the State has filed the custody certificate and as per the custody certificate, the petitioner has been in custody for a period of 2 years and 24 days.

4. Heard.

5. In the present case the petitioner has been in custody for a period of 2 years and 24 days. DNA Report has also been received and as per the same no poison was detected. There is no other case registered and/or pending against the petitioner. Out of 21 prosecution witnesses, only 3 have been examined till date and thus the trial is likely to take some time to conclude. Keeping in view the long custody period of the petitioner and the fact that the prosecution is not leading its evidence, this Court deems it appropriate to grant the concession of bail to the petitioner.

6. In view of the above and without commenting upon the merits of the case, the petitioner is directed to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the Trial Court/Additional Sessions Judge (Duty) concerned.

7. However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

8. It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

9. Disposed off. Pending applications, if any, also stand disposed off.

13.08.2024

Aman Jain

(ALKA SARIN)

JUDGE

*NOTE : Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No*