



CRM-M-37155 of 2024

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

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CRM-M-37155 of 2024

Date of Decision: 07.08.2024

Rinku

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rajat Sheokand, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Manisha Batra, J.(Oral)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.248 dated 30.05.2023 under Section 304-B and 34 of the IPC, 1860, registered at Police Station Israna, District Panipat.

2. The brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered at the behest of complainant-Suresh, brother of the victim-Manju, who was married with the petitioner on 27.03.2019, by alleging that his sister had been harassed by the petitioner on account of demand of dowry and demand of an amount of Rs.10 lakhs had been raised from the family members of the complainant and threats were extended to the victim due to which she committed suicide on 30.05.2023. After registration of the FIR, investigation proceedings were

initiated and post mortem examination of the dead body of the victim was

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conducted which revealed that she had died a suicidal death. The petitioner was joined into investigation and was formally arrested on 31.05.2023. After completion of necessary usual formalities of investigation, challan was presented before the trial Court and presently, he is facing trial for commission of aforementioned offences. He had moved an application for grant of regular bail before the trial Court and then before this Court. His first petition as filed before this Court i.e. CRM-M-62107-2023 was dismissed, vide order dated 14.03.2024.

3. The instant petition has been filed by the petitioner on the ground and it is argued by learned counsel for the petitioner that after the dismissal of the previous petition as filed by the petitioner, there is a change in the circumstances as the complainant who was the star witness of the case as well as other material witnesses, namely, PW-3/Vikram, (brother of the victim), PW-4/Parveen (cousin brother of the complainant as well as the victim) have since been examined before the learned trial Court and they have not implicated the petitioner in the commission of subject offence. He further submits that the petitioner is in custody since 31.05.2023 and no useful purpose would be served by detaining him behind the bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has advance notice of the petition and is ready to argue the matter. It is submitted by him that in view of the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of regular bail.

5. I have heard learned counsel for the parties at length and perused the material placed on record.

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who was his wife, to cruelty on account of demand of dowry and then by raising of a demand of sum of Rs.10 lakhs and extended threats to her if her family members did not meet with this demand and is further alleged to have caused her dowry death. However, a perusal of the statements of the complainant-Suresh as well as PW-3 and PW-4, who are family members of the deceased herself, reveals that in their respective sworn depositions, none of them implicated the present petitioner in the commission of the offence under Section 304-B of IPC. All of them are shown to have stated that the petitioner did not cause the death of the victim and it was due to the fact that the victim herself used to remain under depression, that she had committed suicide.

7. Keeping in view the nature of the evidence that has come on record in the form of testimonies of the material witnesses, the period of incarceration suffered by the petitioner and the attended facts and circumstances, but without meaning to make any comment on the merits of the case, I am of the considered opinion that there is a change in the circumstances meaning thereby entitling the petitioner to seek the concession of bail and this petition is maintainable.

8. Accordingly, the present petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

07.08.2024*D.Bansal***(MANISHA BATRA)
JUDGE**