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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-23009-2025 (O&amp;M)

Date of decision: 26.05.2025

Aman alias Aman Kumar

...Petitioner(s)

versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. L. S. Sekhon, Advocate, for the petitioner.

Mr. Gurpartap S. Bhullar, Asst. A.G., Punjab.

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**JASGURPREET SINGH PURI, J. (Oral)****CRM-21055-2025**

Prayer in this application is for placing on record the correct translation of FIR as Annexure A/1.

For the reasons mentioned in the application, the same is allowed. The correct translation of FIR as Annexure A/1 is taken on record, subject to all just exceptions.

**Main case**

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure (Section 483 of the BNSS, 2023) for the grant of regular bail to the petitioner in FIR No.197 dated 14.06.2024, under Sections 304-B, 498-A and 34 of the IPC, registered at Police Station Derabassi, District SAS Nagar (Mohali).



2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is in custody for 11 months and 8 days and the investigation of the case has been completed and challan has been presented and even charges have been framed by the learned trial Court but no prosecution witness has been examined in the present case. He submitted that it is a case where the allegations were made by the brother of the deceased that his sister was married with the elder brother of the present petitioner and before the marriage, demand of dowry was raised and it was continuing and after about three years of marriage she committed suicide. He submitted that so far as the present petitioner is concerned, he is the younger brother of the husband of the deceased i.e. *devar* and he is a student of the age of 23 years and has got nothing to do with the present offence because the matrimonial dispute was between the husband and wife. He also submitted that the mother of the petitioner has been granted anticipatory bail by a Coordinate Bench of this Court vide Annexure P-4 and father of the petitioner has been granted regular bail by this Court vide Annexure P-5. He submitted that the petitioner being a student his career is at stake and he has already faced incarceration for about 1 year and therefore, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Gurpartap S. Bhullar, learned Assistant Advocate General, Punjab has submitted that it is correct that the petitioner is in custody for 11 months and 8 days and charges have been framed in the present case but no prosecution witness has been examined till date. He also submitted that the other co-accused i.e. mother of the petitioner has been granted anticipatory bail by a Coordinate Bench of this Court vide Annexure P-4 and the father of the petitioner has been granted regular bail by this Court vide



Annexure P-5, although on medical ground. So far as the present petitioner is concerned, he submitted that he was the *devar* of the deceased i.e. younger brother of the husband of the deceased and the allegations were against all the family members including the present petitioner regarding demand of dowry.

4. I have heard the learned counsels for the parties.

5. It is a case where the petitioner is in custody for 11 months and 8 days and he is stated to be the younger brother of the husband of the deceased and as per the learned counsels for the parties, he is a student. Two other co-accused i.e. the parents of the petitioner have already been granted the benefit of bail as aforesaid. Furthermore, it is not the case of the learned State counsel that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

6. Considering the aforesaid facts and circumstances and the custody of the petitioner and his role, this Court deems it fit and proper to grant the concession of regular bail to the petitioner.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)

JUDGE

26.05.2025

rakesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No