



CRM-M-50525-2024 (O&M)

-1-

217

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

**CRM-M-50525-2024 (O&M)
Date of Decision: 24.04.2025**

Gourav Garg

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. D.S. Khurana, Advocate,
for the petitioners.

Mr. P.S. Bhandari, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.0031 dated 27.02.2022 under Sections 306 IPC (Offences under Sections 304-B & 34 IPC added later on 01.03.2022 and challan presented under Section 304-B IPC), registered at Police Station Division No.2, District Pathankot.

2. Learned counsel for the petitioner submitted that the petitioner is in custody for 3 years 1 month and 26 days and as per the allegations, the petitioner, who is the husband of the deceased and his family members had demanded dowry from the family of the deceased which was not given and thereafter, the wife of the petitioner had committed suicide and it was thereafter that the provision of Section 304-B IPC was added later on. He further submitted that be that as it may, now 14 prosecution witnesses have



been examined and rather all the material witnesses including the complainant have been examined and considering the long custody of the petitioner, he may be considered for grant of regular bail.

3. On the other hand, Mr. P.S. Bhandari, learned AAG, Punjab submitted that so far as the custody of the petitioner is concerned, he is in custody for 3 years 1 month and 26 days and it is correct that all the material witnesses have been examined including the complainant. He however submitted that considering the role of the petitioner in the present case, he is not entitled for grant of regular bail.

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

5. The custody of the petitioner has come out to be 3 years 1 month and 26 days and as per the learned counsels for the parties, 14 prosecution witnesses have already been examined and rather all the material witnesses have been examined including the complainant. It is neither the case of the State nor it has been so argued by learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or tamper with the evidence or influence any witness. Therefore, considering the aforesaid facts and circumstances of the present case and the long custody of the petitioner, this Court deems it fit and proper to grant regular bail to the petitioner.

6. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

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

purpose of decision of present petition.

8. Since the main case has already been allowed, all the pending applications also stand disposed of.

24.04.2025

(JASGURPREET SINGH PURI)

Bhumika

JUDGE

1. Whether speaking/reasoned

Yes/No
2. Whether reportable:

Yes/No