
(2010) 11 P&H CK 0280
In the Punjab And Haryana At Chandigarh
Case No : CRM No. M-32888 of 2010

Sujan Singh and Naveen Kumar alias Nanak	APPELLANT
Vs	
State of Haryana	RESPONDENT

Date of Decision : 17-11-2010

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 439
Penal Code, 1860 (IPC) — Section 304B, 34, 498A

Citation : (2010) 11 P&H CK 0280

Hon'ble Judges : Mehinder Singh Sullar, J

Bench : Single Bench

Judgement

Mehinder Singh Sullar, J.—Invoking the provisions of Section 439 Cr.PC, Petitioner Sujan Singh and his son Naveen Kumar alias Nanak, have filed the instant application for regular bail in a case registered against them alongwith their other co-accused, namely, Gurdas, husband and Preeto alias Chiria, mother-in-law of deceased Kamlesh, vide FIR No. 67 dated 27.3.2010, on accusation of having committed the offences punishable under Sections 304B and 498A read with Section 34 IPC by the police of Police Station Sadar Dabwali, Distt. Sirsa.

2. Notice of the petition was issued to the State.

3. Having heard the learned Counsel for the parties, having gone through the record with their valuable help and after bestowal of thoughts over the entire matter, to my mind, the present petition deserves to be allowed in this context.

4. What is not disputed here is that Petitioner No. 1 Sujan Singh is father-in-law, while Naveen Kumar alias Nanak Petitioner No. 2 is younger brother-in-law of deceased Kamlesh. No specific role or overt act is attributed to them. The general and vague allegations of cruelty in connection with and on account of demand of dowry are alleged against the Petitioners. The sister of the deceased is married to Naveen Kumar Petitioner No. 2. The Petitioners were arrested on 28.3.2010 and since then, they are in judicial custody. No useful purpose would be served to further detain them in jail. As not even a single witness has yet

been examined by the prosecution, therefore, the conclusion of trial will naturally take long time. Moreover, there is no history of previous involvement of the Petitioners in any criminal case.

5. Therefore, taking into consideration the totality of the facts and circumstances, emanating from the record, as discussed here-in-above, to me, the present Petitioners are entitled to regular bail in the obtaining circumstances of the present case.

6. In the light of the aforesaid reasons and without commenting further anything on merits, lest it may prejudice the case of either side during the course of the trial of the case, the Petitioners are ordered to be released on bail on their furnishing bail and surety bonds to the satisfaction of the trial Court.

7. The instant petition is disposed of accordingly.