



CRM-M-33981-2024

210

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-33981-2024
Decided on: 14.05.2025

Pardeep Kumar

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGHPresent : Mr. Kamal Chaudhary, Advocate
for the petitioner.

Ms. Mahima Yashpal, DAG Haryana

KIRTI SINGH, J. (Oral)

The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for grant of regular bail to the petitioner in case FIR No.182 dated 08.03.2023, registered under Sections 304-B and 34 IPC at Police Station Suraj Kund, District Faridabad.

2. The contents of the above-mentioned FIR are reproduced herein below:-

“To Mr. Chowki Incharge Sector 46 Faridabad Sir, it is requested that I, Dayashankar, son of Mr. Budhu, I am resident of Minaura Urai, Police Station, Jalaun, Uttar Pradesh. I have married my daughter Anjali Devi to Pradeep Kumar, son of Jugal Kishore, R/o Sunapa, Police Station Kailia as per Hindu customs on 29/06/2020 in village Minora Orai in which I had given goods worth about Rs. 4 lakh as a gift as per my capacity, but my in-laws were not satisfied with the aforesaid gifts, to which my daughter Anjali told everything to us when she came home. I was told that my husband and mother-



CRM-M-33981-2024

in-law and father-in-law say at home that your father has not given anything and with the taunt of bringing less dowry. Being upset, my daughter committed suicide by hanging herself around her neck in village Mevla on 07-03-23. These three are responsible for the girl's suicide. In which father-in-law Jugal Kishore and mother-in-law Janaki Devi and husband Pradeep Kumar is involved, hence I request you to please take appropriate action against these three. Information about Anjali committing suicide was received on my phone by Anand Kumar, applicant Dayashankar, son of Budhu, Gram Panchayat, Minoura Urai.”

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR being the husband of the deceased, with whom the petitioner solemnized marriage in the year 2020. It is submitted that during the subsistence of their marriage, no complaint regarding violence or demand of dowry was ever made against the petitioner and his family members by the deceased, and even there is no independent witness to corroborate any such allegations. Further, at the time of alleged incident the petitioner was not at home but was at work. Besides, there was no suicide note found in the present case and the exact reason behind the unfortunate death of his wife is yet to be determined. The complainant in the present case has also stated on affidavit that his deceased daughter was never harassed by the petitioner. He further submits that the petitioner has undergone an actual custody of 02 years, 02 months and 05 days and there is no other case pending against him.

4. Per contra, learned State counsel on instructions submits that charges were framed on 05.09.2023 and out of a total of 13 prosecution witnesses, 03 have been examined. He further submits that petitioner has undergone an actual custody of 02 years, 02 months and 05 days and there is no other case pending against him. However, in view of the serious allegations against the petitioner, he



is not entitled to the concession of regular bail.

5. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the petitioner has undergone an actual custody of 02 years, 02 months and 05 days and there is no other case pending against him. Even the trial of the case has not made much progress as out of 13 prosecution witnesses only 03 have been examined so far. No useful purpose shall be served by further detention of the accused/petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violate of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex Court in ***“Dataram Singh vs. State of Uttar Pradesh and another”*, (2018) 3 SCC 22.**

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (iii) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (iv) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of which he is suspected.
- (v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.



CRM-M-33981-2024

4

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

9. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

14.05.2025

reena

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No