

Punjab-Haryana High Court

Chander Bhan @ Bhana Ram @ Pehalwan ... vs State Of Haryana on 16 April, 2009

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M- 6387 of 2009

Date of Decision: April 16, 2009

Chander Bhan @ Bhana Ram @ Pehalwan Singh

---Petitioner

versus

State of Haryana

---Respondent

Coram: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ajit Attri and Mr. J.S. Saini, Advocates,
for the petitioner

Mr. Sidharth Sarup, AAG, Haryana

SABINA, J.

Chander Bhan @ Bhana Ram @ Pehalwan Singh-petitioner has filed this petition under Section 439 of the Code of Criminal Procedure (herein after referred to as 'Cr.P.C.') seeking regular bail in FIR No. 85 dated 17.9.2008 under Sections 304 B/34 of the Indian Penal Code registered at Police Station, Jhansa, Distt. Kurukshetra.

Prosecution case in brief is that Rajni Devi, since deceased, was married to Mukesh on 18.4.2008. Thereafter she was harassed by Mukesh on account of insufficient dowry brought by her. A demand of new motor cycle was also raised. Mukesh used to give beatings to Rajni Devi. On 16.9.2008 Rajni Devi died an unnatural death after consuming some poisonous substance.

Learned counsel for the petitioner has submitted that the petitioner is paternal uncle of Mukesh and has been falsely involved in this case on account of his relationship with Mukesh-husband of the deceased. Petitioner is in custody since 20.11.2008.

Learned State counsel, on the other hand, has opposed the bail petition.

Keeping in view the fact that specific allegations of beating and demand of dowry have been levelled against Mukesh-husband of deceased Rajni Devi and the fact that the petitioner is in custody since 20.11.2008, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner be admitted to bail subject to the satisfaction of Chief Judicial Magistrate, Kurukshetra.

(SABINA) JUDGE April 16, 2009 PARAMJIT