

(2011) 02 P&H CK 0417

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Misc No. M-36688 of 2010 (O and M)

Inder Singh

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision: Feb. 2, 2011

Acts Referred:

- Penal Code, 1860 (IPC) - Section 302, 307, 34

Hon'ble Judges: Alok Singh, J

Bench: Single Bench

Advocate: Aftab Singh and Ashwani Talwar, for the Appellant; Gaurav Dhir, DAG, for the Respondent

Final Decision: Allowed

Judgement

Alok Singh, J.

This is an application seeking regular bail in case FIR No. 379, dated 05.05.2010, u/s 302, 307/34 IPC, registered at Police Station Sadar Hisar.

2. Learned Counsel for the Petitioner has stated that from the dying declaration, translation of which is reproduced in paragraph No. 1 of the petition, it is revealed that the Petitioner/husband and mother-in-law of the deceased have brought her to the hospital. Learned Counsel has further argued that in the dying declaration before the Magistrate, she has not named the Petitioner for the alleged incident.

3. Learned Deputy Advocate General, Haryana, on the instructions from ASI Raj Kumar, has stated that it is correct that deceased was taken to the hospital by the mother-in-law and husband (Petitioner); Deceased in her statement before death has not named her husband for setting her on fire. In the present cage, challan had been submitted and charges have already been framed.

4. Considering the totality of the facts and circumstances of the case, present petition is allowed. Let Petitioner be released on bail to the satisfaction of the

learned Trial Court.