

**IN THE HIGH COURT OF HIMACHAL
PRADESH SHIMLA**

Cr.MP (M) No. 119/2010

Date of decision: 26. 2. 2010

Madan Gopal

....Petitioner

Versus

State of H.P.

.....Respondent

Coram:

The Hon'ble Mr. Justice Surinder Singh, J.

Whether approved for reporting ?¹ . No

For the Petitioner: Mr. V.S. Chauhan, Advocate.

**For the respondent : Mr. J.S. Rana, Assistant
Advocate General.**

Surinder Singh (Oral)

Petitioner has failed to get bail from the court of Sessions in FIR No. 32 of 2009, dated 8.10.2009 registered in Police Station Baaga, District Solan, H.P. for offences punishable under Sections 498-A, 304-B, 306 and 201 Indian Penal Code.

Heard and gone through the record of the Investigating Officer.

The deceased was married to Madan Gopal only three months before her death. Petitioner is a Civil Contractor. He faced losses in the business. He demanded an amount

¹ ***Whether the reporters of Local Papers may be allowed to see the judgment ?. yes***

of Rs. 50,000/- from the parents of the deceased to recoup the losses, which was not liked by the deceased. Thus, there was a tiff *inter se* the deceased and the petitioner. Incidentally, on the same day, father of the deceased contacted her telephonically. At that time, she was weeping and complained of harassment being meted out to her. On the same day, she consumed organo phosphorus and finished her life.

Case was lodged against the petitioner. He was arrested. Challan has now been presented in the court and is fixed for consideration on Charge on 16.3.2010 in the court of Additional Sessions Judge, Solan.

Without commenting upon the merits or demerits of the case, suffice it to say that keeping in view the above facts, at this stage, continuous custody of the petitioner is not required. He is ordered to be released on bail on his furnishing bail bonds in the sum of Rs. 25,000/- with one surety in the like amount to the satisfaction of the learned Chief Judicial Magistrate, Solan and this bail shall be subject to the conditions that the petitioner:-

- (a) shall present himself in the court on 16.3.2010 and thereafter whenever required to do so.

(b) shall not tamper with the prosecution evidence in any manner.

(c)shall not make any inducement, threat or promise to any person acquainted with the facts and circumstances of this case so as to dissuade him from disclosing such facts to the court or the Police officer.

Needless to say in case he commits any breach of any of the conditions above, the liberty of bail shall be cancelled.

Any observation, made hereinabove is strictly for the disposal of this bail petition and shall not mean any expression on the merits of the case.

Let an authenticated copy of this order be sent to the learned Chief Judicial Magistrate, Solan forthwith for his information and necessary action at his end.

The copy be supplied to the counsel for the petitioner, if applied urgently, as per rules. The application stands disposed of.

February 26, 2010
(cm)

(Surinder Singh) ,J