

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRL. MISC. No.M-14842 OF 2015 (O&M)
DATE OF DECISION : 27th MAY, 2015

Amandeep Mehta

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. Veneet Sharma, Advocate for the petitioner.

Mr. Amritpal Singh Gill, Assistant Advocate General, Punjab.

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SURINDER GUPTA, J. (ORAL)

This petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case FIR No.185 dated 02.06.2014 registered for offence punishable under Sections 306 IPC at Police Station Chherretta, Amritsar City, District Amritsar.

Heard.

Notice of motion.

On the asking of the Court, Mr. Baljinder Singh Virk, Deputy Advocate General, Haryana, who is present in court, accepts notice and submits that intimation by Registry informing of fixation of the application has already been received and record of the case is available with him.

The FIR in this case was registered on the statement of Bimla Devi mother of the deceased Sunaina who was married with the petitioner. She has levelled allegation of relations of the petitioner with another lady namely Babita, as a result of which, her daughter put herself on fire and died.

Dying declaration of Sunaina was recorded by the Judicial Magistrate, First Class, Amritsar, wherein she has levelled allegation against Babita and nowhere in the statement she has attributed any allegation against the petitioner. The petitioner was arrested in this case on 07.11.2013. Investigation of the case has already been completed.

Keeping in view the facts discussed above, but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Amandeep Mehta is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Amritsar, subject to following terms:

- (i) The accused shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

27th May, 2015
'raj'

(SURINDER GUPTA)
JUDGE