

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

Crl. Misc. No.M-15090 of 2015 (O&M)

Date of Decision: May 13, 2015.

Bhajan Singh

.....PETITIONER(s).

VERSUS

The State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gautam Dutt, Advocate
for the petitioner (s).

Mr. P.S. Ghuman, Addl.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

Heard.

Notice of motion.

On asking of the Court, Mr. P.S. Ghuman, Addl.AG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

This is a petition under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.42 dated 22.07.2014 registered at Police Station Dhilwan, District Kapurthala for offence punishable under Section 304-B of Indian Penal Code.

The case was registered against the petitioner-accused on the statement of Kuldeep Singh, brother of deceased Gurpreet Kaur, who was married with son of petitioner named Hazura Singh on 11.12.2011. There are allegations of maltreatment of the deceased and demand of dowry.

As per the complainant, he was telephonically informed on 21.07.2014 at about 06.15 p.m. by the petitioner that Gurpreet Kaur was vomiting. He immediately reached the house of petitioner and took her to the doctor. Petitioner had accompanied the complainant. On reaching the hospital, Gurpreet Kaur died.

The petitioner is stated to be an old man of 70 years. He was arrested in this case on 10.08.2014 and has been continuing in custody since then. After presentation of challan, charge has been framed and case is fixed for recording of prosecution evidence.

In view of the above facts and without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Bhajan Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Kapurthala subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

petitioner shall have to apply for bail afresh before the trial Court.

- c. He shall not leave the country without the previous permission of the Court.

May 13, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE