

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

**CRM-M No.26463 of 2015**

**Date of Decision:-01.09.2015**

**Onkar Singh.**

.....Petitioner.

Versus

**State of Punjab.**

.....Respondent.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH**

Present:- Mr. M.S. Sidhu, Advocate for the Petitioner.

Mr. K.S. Sidhu, Deputy Advocate General, Punjab.

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**JASWANT SINGH, J.(ORAL)**

Prayer is for grant of regular bail under Section 439 Cr.PC to the petitioner Onkar Singh in case FIR No.74 dated 16.06.2014 for offences punishable under Sections 302, 148, 149 of the Indian Penal Code registered with Police Station B-Division, Amritsar.

In brief facts are that sister of the present petitioner-Onkar Singh was married to the complainant Gurwinder Singh. There was a matrimonial dispute between the said Gurwinder Singh and his wife Manpreet Kaur.

It is alleged that due to the matrimonial dispute the petitioner brother along with 4/5 unidentified persons went to the house of his brother-in-law-complainant on 15.6.2014 at about 10.30 PM and inflicted fists blows on the stomach and chest of father of the complainant namely

Joginder Singh resulting into his death. There are allegations of also inflicting *danda* blows on the complainant.

It is stated that as per the testimony of Dr. Manjit Singh, PW-04, who conducted the post mortem examination, the death of Joginder Singh was caused due to Chronic infection of Kidney as well as heart attack. It is further contended that the petitioner is in custody for more than one year and on joining of the two accused, who were proclaimed offenders a denovo trial has commenced.

Learned State Counsel on instructions from ASI Vijay Pal Singh does not dispute the factual position.

Without commenting upon the merits of the case, keeping in view the fact that conclusion of trial is likely to take sometime, no useful purpose is going to be served by keeping the petitioner behind the bars. As such the present petition is allowed and petitioner is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Amritsar.

**( JASWANT SINGH )  
JUDGE**

**September 01, 2015**  
Vinay