

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

**CRM-11001-2015 in/and
CRM-M-28544-2014 (O&M)
Date of decision : 06.04.2015.**

Sukhwinder Singh

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. D.S. Kahlon, Advocate for the petitioner.
 Mr. Jashanpreet Singh, AAG, Punjab.
 Mr. Dilpreet Singh Gandhi, Advocate for complainant.

DARSHAN SINGH, J (Oral)

CRM-11001-2015

This application has been filed for placing on record the affidavit of Amrik Singh, the father of the petitioner, mentioning therein that it is the first bail application filed before this Court for grant of regular bail. The said affidavit is taken on record.

CRM-M-28544-2014 (O&M)

The present petition has been filed for grant of regular bail. Applicant Sukhwinder Singh has been arrested for the offences punishable under Sections 307, 498A read with Section 34 of Indian Penal Code, 1860 (in short 'IPC) and Sections 201 & 328 IPC (added later on) vide FIR No.165 dated 17.07.2014, Police Station Sadar Amritsar City.

As per the prosecution allegations, the petitioner along with his family members had administered poison to complainant Jaswinder Kaur, the wife of the petitioner.

Learned counsel for the petitioner contended that the petitioner was ready to rehabilitate the complainant in the matrimonial home. Even the efforts were made in the Mediation but that could not succeed as the complainant had put forward some unreasonable conditions.

He contended that the statement of the complainant has already been recorded. The petitioner is in custody for the last about nine months. There is no medical evidence of administering the poison to the complainant.

On the other hand learned State counsel assisted by Mr.Dilpreet Singh Gandhi, Advocate for complainant has pleaded that the offence is of serious nature. The petitioner is the husband of the complainant. She was subjected to cruelty. So, the petitioner does not deserve the concession of bail.

The aforesaid contentions have been duly considered.

This fact has not been disputed that complainant Jaswinder Kaur has already been examined by the learned trial Court on 23.01.2015. It has been stated at Bar by learned counsel for the parties that so far only four witnesses have been examined. Remaining witnesses are still to be examined. The petitioner is in custody since 17.07.2014, except the period on which he remained on interm bail. In this manner, he is in

custody for the last about more than eight months. The conclusion of the trial will take time. The further detention of the accused-petitioner in jail will not serve any purpose. It is also pertinent to mention here that during the pendency of the petition, the matter was referred to Mediation Centre. Some settlement has taken place between the parties but the same could not be matured as the complainant wife has demanded some security from domestic violence regarding which she does not seem to have approached the Court of the competent jurisdiction, which is evident from the interim order dated 22.01.2015 passed by this Court.

Thus, in these circumstances, without expressing anything on the merits of the case, the present petition is hereby allowed. Accused-petitioner is ordered to be released on bail on furnishing bail bonds to the satisfaction of the learned trial Court.

06.04.2015

sunil yadav

**(DARSHAN SINGH)
JUDGE**