

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

CRM No.M-32045 of 2015

Date of decision: 24.09.2015

Ganesh Dass

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. L.S. Mann, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.10, dated 01.05.2015, registered under Sections 306 and 34 of the Indian Penal Code (for short 'IPC'), at Police Station Dhar Kalan, District Pathankot.

It is contended that the marriage between the petitioner and the deceased was more than 10 years old. Three children were born out of their wedlock. The deceased was a chronic patient of pulmonary disease and suffered from heart ailment. The learned counsel for the petitioner refers to Annexure P-3 and states that the petitioner tried to provide best treatment to the deceased. During her life time, she never raised any grouse before any authority against

the petitioner. On account of chronic ailment, the deceased committed suicide. The petitioner is in custody since 01.05.2015.

On the other hand, the learned State counsel opposes the prayer of bail and states that on account of maltreatment and harassment, the deceased was forced to take the extreme step of committing suicide. The challan stands presented; charges have been framed. Out of total 19 witnesses, 06 witnesses have been examined so far.

I have heard learned counsel for the parties and perused the record.

From the documents on record, the ailment as well as the treatment provided to the deceased is proved. The challan stands presented; out of total 19 witnesses, only 06 witnesses have been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

24.09.2015

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(JITENDRA CHAUHAN)
JUDGE