

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

CRM-M-37943-2015 (O&M)

Date of decision : 19.11.2015

Warkha Singh @ Varkha Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab,
assisted by ASI Pars Ram.

Mr. Ajay Pal Singh Reham, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.84 dated 04.09.2015, Sections 307, 120-B of the Indian Penal Code, at Police Station Ghuman, Police Distt. Batala, Distt. Gurdaspur.

The learned counsel for the petitioner contends that the petitioner is the father-in-law of the complainant. There is no medical evidence on record to substantiate the allegations levelled in the FIR. No sample has been sent for chemical examination to determine the presence of poison. He is in custody since 24.09.2015.

On the other hand, the learned State counsel, on instructions, concedes that no sample of vomit or blood has been sent to the Forensic Science Laboratory to prove that the complainant was administered poison by the accused.

Heard.

Keeping in view the fact that the petitioner is in custody since 24.09.2015 and no sample has been sent to the Forensic Science Laboratory for examination, 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, subject to his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

19.11.2015

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(JITENDRA CHAUHAN)
JUDGE