

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. M- No. 40339 of 2014 (O&M)

207

Date of decision : 12.01.2015

Jatinder Kumar

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Jagmeet Singh Moudgill, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 57 dated 06.07.2014 registered under Sections 306, 34 IPC at Police Station Tappa Mandi, District Barnala.

As per the allegations in the FIR registered on the statement of Charanjit Saxena, Preeti wife of the deceased Bimlesh had illicit relations with petitioner – Jitender Kumar. Preeti and the petitioner are stated to be responsible for Bimlesh committing suicide. It is contended that co-accused Preeti had been residing separately in a rented room for two months prior to the death of Bimlesh. The petitioner had nothing to do with Preeti or her matrimonial discord. No offence punishable under Section 306 IPC is made out qua petitioner. He has been in custody since 07.07.2014.

Learned counsel for the State, on instructions from ASI Jagtar Singh, submits that the challan/report under Section 173 Cr.P.C. has been submitted and the charges have been framed. The

factual matrix is not disputed. Co-accused Preeti was undisputedly

living separately from the deceased Bimlesh at different premises rented out by her. There is no other evidence except the statement of the complainant to reflect the alleged illicit relations between the petitioner and co-acused Preeti.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. There are 11 witnesses cited by the prosecution, who are yet to be examined. The trial is, therefore, likely to take long.

Keeping in view the facts and circumstances but without expressing any opinion on the merits of the controversy, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

January 12, 2015
rts

(LISA GILL)
JUDGE