

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

CRM-M-42835 of 2015.

Decided on:-22.12.2015.

Harinder Kumar.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Rajesh K. Dadwal, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.59 dated 30.8.2015 under Section 306 read with Section 34 IPC registered at Police Station, Hajipur, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner was married with the deceased 24 years ago and out of this wedlock, three children i.e. one daughter and two sons were born. While daughter of the petitioner, namely, Nishu is pursuing the course of Bachelor of Dental Surgery, the sons, namely, Harsh Gera and Varun Gera are studying in BA Part (II) and 9th standard respectively. All the three children have furnished a

joint affidavit that there was no matrimonial dispute between the deceased and the petitioner.

Learned State counsel, on instructions from ASI Jagat Singh, submits that because of the property dispute, the deceased was mentally disturbed as the petitioner was siding with his mother and brother.

Heard.

Considering the fact that the petitioner has three grown up children, who have furnished a joint affidavit in support of the petitioner that there was no matrimonial dispute coupled with the fact that the petitioner is in custody since 1.9.2015 and conclusion of the trial will take sufficient long time, the present petition is allowed. The petitioner is admitted to bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

It is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall be at liberty to decide the case on the basis of availability of evidence.

December 22, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE