

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

CRM-M No.43791 of 2014

Date of Decision:-21.09.2015

Amar Nath.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. APS Deol, Senior Advocate assisted by
Mr. A.S. Brar, Advocate for the Petitioner.

Dr. Deepa Singh, Additional Advocate General, Punjab
along with ASI Narbir Singh.

Mr. Jupinder Pal Singh, Advocate for the Complainant.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of regular bail under Section 439 Cr.PC to the petitioner-Amar Nath in case FIR No.121 dated 21.08.2013 for offence punishable under Sections 306 of Indian Penal Code (Section 302 IPC added vide order dated 3.8.2015 passed on CRM No.24461 of 2015) registered with Police Station City Rampura, District Bathinda.

As per allegations, the son of the complainant was married to one Suman Lata. Out of the said wedlock two children were born. Due to marital discord between the two, the husband is alleged to have been killed by family members of Suman Lata in the house of inlaws. The deceased

Ravi had burns through electrocution and as per the Chemical Examiner

Report Organo Phosphorous was found in his Viscera.

It is contended on behalf of the petitioner, who is father-in-law of the deceased that the deceased had committed suicide in their house due to a dispute with his wife. He further submits that the petitioner is in custody since 24.7.2014 and the material witnesses Sanjay and Ramesh have been examined before the amendment of the charge & have not made any allegation qua administering of any poisonous substance by the family members of the wife. He further contends that after the amendment of the charge there is going to be a denovo trial and, therefore, prayer is for grant of bail to the aged petitioner.

Learned State Counsel on instructions from ASI Narbir Singh concedes that after the amendment of the charge witnesses have not been examined.

Without commenting upon the merits of the case, keeping in view the above circumstances, the prayer is liable to be accepted and as such the present petition is allowed and petitioner is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Bathinda.

(JASWANT SINGH)
JUDGE

September 21, 2015
Vinay