

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

CRM-M No. 33247 of 2016
Date of decision : September 23, 2016

Vijay Kumar,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Bir Davinder Singh, Advocate
for the petitioner.

Mr. Ks Pannu, DAG Punjab.

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.29,
dated 23.3.2016, registered under Section 302 of the IPC, at Police
Station Sadar Abohar, District Fazilka.

Counsel for the petitioner has argued that in this case what
had happened was that the deceased was the wife of the petitioner. They
were going to their in-laws house because sister of the deceased was
expecting a child and on the way their motor cycle fell into the river.

The petitioner was fortunately saved but his wife passed away. After verifying all the facts, originally the complainant was expecting that this was a case of drowning by accident and had in fact stated as such in the FIR also. The petitioner has now been in custody since 23.3.2016.

Learned DAG Punjab has accepted the fact that originally the complainant had expressed no suspicion and lodged the FIR after six months.

In these circumstances, without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of.

September 23, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No