

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36658-2016

Date of Decision:- 12.12.2016

Brij Pal

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Keshav Pratap Singh, Advocate,
for the petitioner.**

Ms. Mahima Yashpal, AAG, Punjab.

RITU BAHRI, J. (Oral)

Present petition is for release of petitioner on regular bail in FIR No.132 dated 24.04.2016, under Sections 306 and 34 IPC, registered at Police Station Madhuban, District Karnal.

Learned counsel for the petitioner submits that the wife of the petitioner had committed suicide and as per the suicide note she was suspecting that her husband was having affair with his sister-in-law Neetu. Further, the said suicide note along with specimen handwriting of the deceased was sent to FSL, Madhuban and report is still awaited from the FSL. Moreover, the petitioner was not present at home at the time of incident and nothing is to be recovered from him.

Learned State counsel on instructions from investigating officer

has informed that after completion of the investigation, the mother of the

petitioner, who was the informant, has been examined on 22.11.2016 and there are 17 more witnesses to be examined.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The petitioner was arrested on 27.04.2016. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. Moreover, the presence of the petitioner on the relevant time and report from FSL, would be the moot points to be decided during the course of trial, after acceptance of the evidence, by the trial Court.

In view of above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Karnal.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

December 12, 2016
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No