

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

CRL. MISC. No.M-41921 OF 2016
DATE OF DECISION : 14TH DECEMBER, 2016

Kuldeep Kaur @ Kundan

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. K.B.S. Mann, Advocate for the petitioner.

Mr. Shilesh Gupta, Additional Advocate General, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking bail in FIR No.158 dated 13.09.2015 registered under Sections 302, 201 & 34 IPC at Police Station Canal Colony Bathinda, District Bathinda.

Heard learned counsel for the rival parties.

The case of the prosecution is that the deceased was pushed from first floor and he fell down from the staircase and resultantly died. The case of the prosecution further is that the dead body was thereafter taken away and thrown at a distant place.

It is then stated by learned State counsel that two witnesses have been examined by the trial Judge but they have not supported the prosecution version. Learned State counsel opposed the bail of the petitioner on the ground that the complainant is yet to be examined.

I have seen the complainants version discussed in the interim order passed by the trial court. Perusal of the same shows that the complainant has not seen the incident at all.

In that view of the matter, I think the petitioner is entitled to be released on bail. Hence, I make the following order:

ORDER

- (i) CRL. MISC. No.M-41921 OF 2016 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the CJM/Duty Magistrate, Bathinda.

14TH DECMEBT, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE