

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

CRM No.M-5070 of 2016 (O&M)

Date of Decision: 18.02.2016

Sulakhan Singh @ Sukhi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. J.S. Dadwal, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

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TEJINDER SINGH DHINDSA.J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.11 dated 17.01.2015, under Sections 304/328 IPC and Sections 3/4/5 of the Immoral Traffic (Prevention) Act, 1956, registered at Police Station Phase 11, District SAS Nagar, Mohali.

In a nutshell, accusations levelled by complainant Inderjeet Kaur are that a girl, namely, Sadhna was sent by Parmod Kumar to Jaswinder Singh for immoral purposes. Sadhna was administered some intoxicating substance and as a result thereof she died.

During the course of arguments, it has gone uncontroverted that in the initial final report filed under Section 173 Cr.P.C., the present petitioner was not nominated as an accused. However, a supplementary challan has been presented against the petitioner on the basis of a disclosure statement of co-accused, Jaswinder Singh.

It is also the conceded position of fact that co-accused, Nisha has been granted bail by this Court in the light of order dated 24.09.2015 in CRM No.M-30302 of 2015.

Petitioner is in custody since 31.10.2015.

Investigation in the case has been completed and challan already stands presented. Learned State counsel upon instructions from ASI Jarnail Singh would submit that the charges till date have not been framed. The trial, as such, would take time to conclude.

In view of the above and without making any observations on merits, petition is allowed. The petitioner is held entitled to the benefit of bail. He be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Mohali.

Disposed of.

18.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**