

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

Crl. Misc. No.M-6087 of 2016

Date of Decision: 24.02.2016

Makhan Singh

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. Ishaan Pasricha, Advocate
for the petitioner.

Mr. T.N. Sarup, Addl. A.G., Punjab
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.89 dated 04.10.2013 registered under Section 304-B IPC at Police Station Lambra, District Jalandhar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, he was not involved in any manner. The petitioner is brother-in-law of the deceased. Co-accused of the petitioner have been acquitted of the charge by the trial Court vide its judgment dated 23.04.2014. Petitioner could not face trial along with co-accused as he was declared as a proclaimed offender. Learned counsel

further submits that the petitioner is in custody for the last more than two months.

Learned counsel for the respondent-State has not disputed the factum of acquittal of co-accused of the petitioner by the trial Court.

In view of the submissions made by learned counsel for the petitioner and also the fact that co-accused of the petitioner have been acquitted of the charge by the trial Court; the petitioner is in custody for the last more than two months and no useful purpose would be served, in case, he is kept behind bars, the present petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

24.02.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE