

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-9017 of 2016

DATE OF DECISION: 06.05.2016

Munshi Lal

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see 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:- Mrs. G.K. Turka, Advocate and
Ms. Vinod Agnihotri, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 143 dated 3.8.2015 registered under Sections 306 and 506 IPC at Police Station Sadar, Ludhiana.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case only on the basis of statement made by complainant, who is father of the deceased, whereas, no offence under Section 306 IPC is made out. Learned counsel further contends that neither any abetment nor any reason for commission of offence was there. Even the deceased has not left any suicide note. Learned counsel also submits that prior to death, no complaint was ever made against the petitioner. All the material witnesses have been examined including the

complainant. The petitioner is in custody since 4.8.2015.

Learned counsel for the respondent-State has not disputed the custody period as well as the fact regarding examination of material witnesses.

Keeping in view the submissions made by learned counsel for the petitioner and the fact that no suicide note was left by the deceased before her death; all the material witnesses have been examined including the complainant; and the witnesses, which remain to be examined are formal witnesses and there is no possibility that the petitioner may influence them; the petitioner is in custody since 4.8.2015; trial may take some time to conclude; no purpose would be served in case he is kept behind the bars and the allegations are matter of evidence, which can be tested during trial, the present petition is allowed. Petitioner-Munshi Lal is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

May 06, 2016
pooja

(DAYA CHAUDHARY)
JUDGE