

CRM-M-9075-2016

Date of Decision : 24.05.2016

Harjinder Singh

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Roopak Bansal, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

Mr. Gopal Singh Nahel, Advocate
for the complainant.**M.M.S. BEDI, JUDGE (ORAL)**

Petitioner seeks concession of regular bail, in a case registered at the instance of Amandeep Kaur alleging that the petitioner along with others had attacked the husband of the complainant, Rajvir Singh, with iron rods, as a result of which he died.

It is pertinent to observe here that the petitioner is the real brother of deceased, Rajvir Singh.

The FIR was registered after five months of the death of Rajvir Singh attributing motive that there was a dispute regarding ancestral property between the real brothers and the deceased had performed love marriage with the complainant.

The complainant has already been examined. The petitioner has been in custody with effect from 26.09.2015. The complainant having been examined, chances of tampering with the evidence are remote. The lodging of FIR after five months and absence

of any medical evidence, raises debatable issues regarding the authenticity of the complainant. Without expression of any opinion on merits, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

24.05.2016
Neha