

209 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10737-2017

Date of Decision: 22.05.2017.

Dalbir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Neeraj Kumar, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 the Cr.P.C seeking regular bail in case FIR No.100 dated 23.10.2015. registered under Sections 302 and 201 read with Section 34 IPC at Police Station Talwara, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner is husband of deceased, Sunidhi, daughter of the complainant. He further states that the petitioner had been residing with co-accused Meenakshi. The petitioner is being prosecuted on the basis of last seen evidence of Vijay Kumar. It is asserted that in fact, the petitioner admits the factum of live-in-relationship with co-accused and states that his wife had also been residing with him and it was with the express knowledge and permission of deceased Sunidhi. Vijay Kumar, the last seen witness has not supported the case of the prosecution.

Learned State counsel, on instructions acknowledges the assertion of the petitioner to the extent that the deceased as well as co-accused Meenakshi had been residing together in the company of the petitioner.

Heard.

As per the record, the petitioner has lodged a missing report with regard to the deceased. The dead body was recovered on 17.10.2015 whereas, the FIR came to be registered on 23.10.2015. Considering the fact that co-accused Meenakshi had already been admitted to bail, the petitioner is in custody since 23.10.2015, out of 35 prosecution witnesses, 17 have been examined so far, therefore, it can be safely concluded that the conclusion of trial will take a long time so, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

22.05.2017.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No