

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

Criminal Misc. No.M- 13398 of 2017(O&M)

Date of Decision: October 25 , 2017.

Arvinder Singh PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Kuljit Singh, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.138 dated 14.09.2016 under Sections 306/34 IPC, registered at Police Station Dasuya, District Hoshiarpur.

It is submitted that the petitioner has been falsely implicated in this case. There was matrimonial discord between the petitioner and the deceased. She had been living at her parental home for over the past one month prior to the alleged occurrence. The ingredients of Section 306 IPC, it is submitted, are not made out against the present petitioner. Moreover, the petitioner has been in custody since 14.09.2016. His first application for bail before this Court was

dismissed as withdrawn on 16.01.2017. Final report under Section 173 Cr.P.C. stands presented. Charge against the petitioner has been framed. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from ASI Dharminder Singh, verifies the factum of charge against the petitioner being framed. It is informed that there are 22 prosecution witnesses to be examined in this case.

The petitioner is not reported to be involved in any other criminal case. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by Arvinder Singh is allowed. The petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

October 25 , 2017.
'om'

(**LISA GILL**)
JUDGE

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