

Sr. No.221

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

CRM No. M- 13665 of 2017 (O&M)

Date of Decision:27.04.2017

Ravi Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Anterpreet Singh, Advocate
for the petitioner.

Mr. Varun Sharma, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in
FIR No.47 dated 15.04.2015 under Sections 302/34/120B IPC,
registered at Police Station Dharesi, District Ludhiana.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Shalinder
Singh. Deceased is his daughter, namely, Santosh Devi and who
has died of strangulation on 15.04.2015.

It is a case of hearsay evidence as the complainant
himself has stated that at about 11 a.m., some persons have
disclosed to him that his daughter has been killed by her husband-
Sandeep Kumar, in connivance with certain friends by way of
strangulation. Allegations raised by the complainant are that
Sandeep Kumar, main accused was addicted to intoxicants and he
along with his friends, namely, Robot and Vicky as also the present

petitioner eliminated Santosh Devi as she was creating hurdle in their habit of consuming intoxicants.

Petitioner has been in custody since 15.04.2015.

During the course of arguments, counsel has adverted to the statements of Neelam wife of Late Kasturi Lal i.e. the mother of main accused Sandeep Kumar as also Sunita i.e. sister of Sandeep Kumar recorded under Section 164 Cr.P.C. and in which, they have clearly stated that Santosh Devi has been done to death by Sandeep Kumar along with his friend namely Vicky. In the statements of mother and sister of main accused Sandeep Kumar recorded under Section 164 Cr.P.C., even the presence of the present petitioner in the house of the deceased has not been recorded.

The trial is at the initial stage.

Without making any observation on merits and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Ludhiana.

Disposed of.

27.04.2017

anju rani

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No