

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

CRM-M-16238-2017

Date of decision: 23.8.2017

Telu Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.RK Dadwal, Advocate for the petitioner

Mr.AS Gill, Sr.DAG, Punjab assisted by
ASI Rachhpal Singh

JITENDRA CHAUHAN, J.

The present petition under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') has been filed for grant of regular bail to the petitioner in case First Information Report No.104 dated 5.10.2016 , registered under Section 304-B of the Indian Penal Code, (for short, 'the IPC') at Police Station Mahilpur, District Hoshiarpur.

The learned counsel for the petitioner contends that the petitioner is the father-in-law of deceased, Pooja. There are general

allegations of maltreatment against him. As per the case of the prosecution, the death occurred due to administering some poisonous substance to her. During the postmortem, no injury was noticed on the person of the deceased. As per Chemical Examiner's report, no poisonous substance was noticed. The petitioner is a known case of HIV infection. The petitioner, aged 70 years, is in custody since 6.10.2016. This factual position with regard to health of the petitioner is admitted in the Status report dated 4.8.2017 Annexure R-1.

On the other hand, learned State counsel opposes the prayer of the petitioner. He informs that out of 14 witnesses, only one witness so far has been examined.

Heard.

Considering the ailment and ripe age of the petitioner and the fact that the challan stands already presented, the petitioner is in custody since 6.10.2016, out of 14 prosecution witnesses, only one has 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.

23.8.2017
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned? Yes / No

Whether reportable? Yes / No