

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

**CRM-M-17608-2017
Date of decision: 31.08.2017**

Balbir Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ashish Aggarwal, Advocate,
for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 58 dated 29.04.2016, under Sections 304-B and 34 of the Indian Penal Code, registered at Police Station Bhikwind, District Tarn Taran.

This petition has been filed at the behest of the mother-in-law of the deceased. Counsel for the petitioner contends that the petitioner has been in judicial custody since 29.04.2016 and as on date, no evidence of the prosecution has been recorded on account of the fact that the complainant himself has expired. In fact, the prosecution has made several attempts to summon Rajwinder Singh throughailable warrants who is one of the witnesses but he too has not put in appearance despite being served.

Mr. Abhaypal Singh Gill, AAG, Punjab, has appeared on behalf of respondent-State and contested the bail application.

I have heard learned counsel for the parties and have perused the four zimini orders showing that out of two witnesses, Balkar Singh, the

complainant, has since expired and the second witness has not come present despite being served throughailable warrants.

In view of above, without going into the merits of the case and keeping in view the fact that the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

August 31, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No