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Date of decision: September 20, 2017

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...Petitioner

Versus

....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Krishan Sehajpal, Advocate
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Senior DAG, Punjab
for the respondent-State.

MAHABIR SINGH SINDHU, J.(ORAL)

By virtue of the instant petition preferred under Section 439 of Code of Criminal Procedure, petitioner has sought regular bail in case bearing FIR No.121 dated 15.09.2016 registered under Sections 302, 120-B of Indian Penal Code at Police Station Garhshankar, District Hoshiarpur.

It is contended that the petitioner is in custody since 15.09.2016 and the role attributed to him is that he was having illicit relations with Rekha, who is alleged to have pressed the throat of deceased Sunita Kumari with her *chunni* and except that there is no other allegation against the petitioner. Report under Section 173 Cr.P.C. was submitted on 14.12.2016 and charges have already been framed on 05.04.2017. Out of the total 21 prosecution witnesses, none has been examined till date. Now the case is fixed for 22.09.2017. There is neither any allegation that petitioner was present at the time of occurrence; nor that he is likely to threaten any of the prosecution witnesses.

In view of the above, without expressing any opinion on the merits of the case, this Court deems it appropriate to grant the concession of bail to the petitioner during the pendency of the trial, subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Hoshiarpur.

The petitioner shall abide by the conditions as prescribed under Section 437 Cr.P.C.

(MAHABIR SINGH SINDHU)
JUDGE

September 20, 2017
m. sharma

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