

Criminal Misc. M- No. 29299 of 2016 (O&M)

Date of decision : July 05, 2017

Narinderpal Sharma

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Atul Goyal, Advocate
for the complainant.

LISA GILL, J.

Prayer is for bail pending trial to the petitioner in FIR No. 28 dated 14.02.2016 registered under Sections 304B, 34 IPC at Police Station Shimlapuri, District Ludhiana.

The petitioner is the father-in-law of the deceased. It is submitted that the petitioner has been implicated in this case merely because of his relationship with the deceased. No specific allegation qua the petitioner has been raised, which would attract the rigours of Section 304B, 34 IPC. The allegations are vague and general. Furthermore, the complainant, in this case, has already testified. The petitioner is in custody since 11.04.2016. Trial is not likely to conclude in the near future. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions, from HC Gurwinder Singh, Police Station Shimlapuri affirms and verifies that the complainant in this case has testified before the learned trial Court. It is submitted that serious allegations have been levelled against the petitioner. Therefore, he is not entitled to the concession of bail. It is, however, not denied that the petitioner is not involved in any other criminal case and he is in custody since 11.04.2016. There are no allegations on behalf of the State that 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. Trial of the case is not likely to conclude in the near future. No useful purpose shall be solved by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

July 05, 2017
rts

(Lisa Gill)
Judge

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