

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

Criminal Misc. No.M- 32257 of 2017(O&M)

Date of Decision: November 6 , 2017.

Harwinder Singh

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Avtar Singh Bhatti, Advocate
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

Mr. Arshdeep Singh Brar, Advocate
for the complainant.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.76 dated 17.06.2017 under Sections 307/498A/406/323/34 IPC registered at Police Station Sadar Faridkot, District Faridkot.

It is submitted that the petitioner has been falsely implicated in the abovesaid FIR, which was registered due to temperamental differences of the complainant with the petitioner and his family. The petitioner, it is submitted, filed a petition under Section 13 of the Hindu Marriage Act, 1955 on 16.05.2017 i.e., before the registration of the abovesaid FIR, as the complainant had left the matrimonial home in December, 2016. Challan in this case, it is submitted, already stands presented. The petitioner is not involved in any other criminal

case. Therefore, it is prayed that this petition be allowed.

Learned counsel for the complainant opposes this petition.

Learned counsel for the State, on instructions from ASI Kulwinder Singh, verifies that the final report under Section 173 Cr.P.C. has since been presented. The petitioner is not reported to be involved in any other criminal case. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the peculiar facts and circumstances of this case.

There are no allegations on behalf of the State that the 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.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by Harwinder Singh is allowed. The petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

November 6 , 2017.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No