

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

CRM No.M-34942 of 2016 (O&M)

Date of decision: March 16, 2017

Pallu Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Rifi Birla, Advocate,
for the petitioner.

Mr. V.P.S.Sidhu, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Pallu Ram has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.18, dated 12.03.2016, registered at Police Station Arniwala, District Fazilka, under Sections 302, 201, 176, 202 and 34 of Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the FIR in this case was got registered by Suresh Kumar on the allegations that his sister Priyanka Rani was married with Jai Chand without the consent of the family members.

Later on, Jai Chand and his sister Priyanka Rani started living separately

and started fighting with each other. On 31.01.2016, on the occasion of Jai Chand's sister marriage, he found that his sister Priyanaka Rani has not come. It is also alleged in the FIR that Priyanka Rani, sister of the complainant, has been put to death by his brother-in-law in connivance with his father Pallu Ram, mother Laxmi Bai and sister Kailash Rani.

During the course of arguments, learned State counsel has brought it to my notice that Laxmi Bai and Kailash Rani have not been challaned by the police.

Learned counsel for the petitioner argued that Jai Chand and Priyanka Rani were residing separately and no DNA report has been called to verify the identity of the body. He also argued that the present petitioner is nothing to do with the crime. He also points out that the complainant has already been examined by the prosecution.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case and in view of the fact that the petitioner is not the main accused and he is in custody since 28.03.2016 and he is not required for custodial interrogation as the trial is going on, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

March 16, 2017

rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned

:

Yes

Whether Reportable

:

No