

Criminal Misc. No. M- 36557 of 2017 (O&M)

Date of decision : October 04, 2017

Lekh Raj @ Vicky

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 07 dated 18.01.2017 under Section 306 IPC registered at Police Station Sadar Banga, District SBS Nagar.

It is submitted that the petitioner has been falsely implicated in this case. In fact, the petitioner and the deceased had friendly relations with each other, which was not to the liking of the family of the deceased. There is no evidence on record to attract the rigours of Section 306 IPC. The necessary ingredients to prove the offence, it is submitted, are conspicuous by their absence. Moreover, the material witnesses, in this case, i.e. the complainant as well as the mother of the deceased have since testified before the learned trial Court. Their statements are annexed with this petition as Annexures P-2 and P3. The petitioner, who is 27 years old, is not involved in any other criminal case. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions, from ASI Avtar Singh, verifies that the petitioner is not involved in any other criminal case.

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 in this case is not likely to conclude in the near future.

No useful purpose shall be served 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 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.

October 04, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No