

CRM-M No. 37818 of 2016 (O&M)

Date of decision : January 13, 2017

PAWAN KISHORE @ RAHUL

.....Petitioner

Versus

STATE OF PUNJAB

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. D.K. Bhatti, Advocate
for the petitioner.

Ms. Shivali, AAG, Punjab.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 104 dated 01.07.2016 registered under Sections 306/34 Indian Penal Code (for short 'IPC') at Police Station Amritsar.

Learned counsel for the petitioner submits that the complainant in this case namely Sunny son of Sham Lal has been examined on 12.01.2017. He has not supported the prosecution version. A certified copy of the statement of PW1 Sunny son of Sham Lal has been produced in Court today, which is taken on record subject to just exceptions.

It is stated by Sunny son of Sham Lal that his sister did not have any dispute with her husband Pawan Kishore alias Rahul. He is not instrumental in the instigation or abetment of suicide committed by her.

Learned counsel for the State has opposed this application on the ground that it appears that due to some sort of settlement between the parties the complainant has not supported the prosecution version. This application should be dismissed.

Keeping in the view the facts and circumstances of the case as well as the fact that the petitioner is in custody since 02.7.2016, it is considered just and expedient to allow this petition. 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. It is, however, made clear that in case the petitioner misuses this concession or is involved in any other case, the State is at liberty to file for cancellation of his bail.

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

January 13, 2017
rts

(Lisa Gill)
Judge