

Criminal Misc. No. M- 38704 of 2017 (O&M)

Date of decision : November 30, 2017

Jasvir Singh alias Jassa

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Amandeep Singh Jawandha, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

LISA GILL, J.

The petitioner, who is the husband of the deceased, prays for bail pending trial in FIR No. 132 dated 15.11.2016 under Section 306 IPC registered at Police Station Khamanon, District Fatehgarh Sahib.

It is submitted that marriage between the petitioner and deceased was solemnised about 13 years prior to the incident, which took place on 14.11.2016. Two children were born out of this wedlock. It is vehemently argued that the allegations in the FIR do not constitute an offence punishable under Section 306 IPC in any manner. Moreover, the complainant, in this case, has since testified before the learned trial Court. The petitioner is not involved in any other criminal case. He is in custody since 16.11.2016. 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 Mandeep Singh, verifies that the petitioner is not involved in any other criminal case. The complainant has admittedly been examined before the learned trial Court.

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.

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.

November 30, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No