

CRM-M-39396 of 2017

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

CRM-M-39396 of 2017
Date of Decision: 31.10.2017

Ajay Pal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. B.S. Baath, Advocate, for the petitioner.
Mr. Rana Harjasdeep Singh, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Ajay Pal in a case arising from FIR No.73 dated 09.10.2016 under Sections 302 and 34 IPC registered at Police Station Sekhwan, District Batala.

According to the prosecution, petitioner along with his co-accused Rajbir Singh @ Raju developed illicit relations with Rajbir Kaur in the absence of her husband Gurbinder Singh away to Dubai. Deceased Joginder Kaur, mother-in-law of aforesaid Rajbir Kaur, was objecting to the said illicit relations of petitioner and his co-accused with Rajbir Kaur. In the intervening night of 06/07.10.2016, petitioner with the help of his co-accused Rajbir Singh @ Raju committed the murder of Joginder Kaur. The incident could not be unearthed in time.

Learned counsel for the petitioner *inter alia* contends that no overt act has been attributed to the petitioner. He has been falsely

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implicated. Vague allegations of illicit relations with Rajbir Kaur are levelled against the petitioner for the reason that his father had deposed against the complainant party in a criminal case under Section 326 IPC. Petitioner is in custody since 07.12.2016. The conclusion of trial shall take long time. No useful purpose would be served by detaining the petitioner in jail.

On the other hand, learned State counsel has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering overall circumstances and the fact that no specific role has been attributed to the petitioner in the murder of Joginder Kaur, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds, to the satisfaction of Trial Court/Duty Magistrate concerned.

October 31, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No