

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT  
CHANDIGARH**

**Criminal Misc. No.M- 41365 of 2016(O&M)**

**Date of Decision: April 24 , 2017.**

Mela Singh and another ..... PETITIONER (s)

**Versus**

State of Punjab and another ..... RESPONDENT (s)

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

Present: Mr. Manoj K.Tanwar, Advocate  
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

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1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

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**LISA GILL, J.**

The petitioners pray for bail pending trial in FIR No.14 dated 09.03.2016 under Sections 302/304B/498A/307/148/149 IPC registered at Police Station Mehal Kalan, District Barnala, Punjab. The petitioners are the parents-in-law of the deceased in this case.

It is submitted that vague and general allegations have been levelled against the petitioners. They have been falsely implicated in this case only because of their relationship with the deceased. It is submitted that both the petitioners are in advanced years of their life, petitioner No.1 being about

68 years of age and petitioner No.2 being about 66 years old. Furthermore, the complainant Baljit Kaur (PW1) i.e. mother of the deceased has not supported the prosecution version. The brother of the deceased Avtar Singh (PW3) as well as maternal uncle of the deceased Balwinder Singh (PW2) have also not supported the prosecution version. It is thus prayed that this petition be allowed.

Certified copies of the statements of PW1 Baljit Kaur, PW2 Balwinder Singh and PW3 Avtar Singh recorded on 10.04.2017 before the learned trial court, produced in Court today, are taken on record subject to just exceptions.

Learned counsel for the State, on instructions from ASI Paramjit Singh, is unable to deny that the abovesaid material witnesses including the complainant have not supported the prosecution version but it submitted that this fact by itself may not absolve the petitioners in case other attending evidence is available on record.

It is however not denied that the petitioners are not involved in any other case. They have been in custody since 10.03.2016. Seventeen (17) prosecution witnesses, it is stated, are yet to be examined. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioners incarcerated any longer in the facts and circumstances of this case.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by Mela Singh and Gurmeet Kaur is allowed. The petitioners shall be released on bail pending trial subject to their furnishing requisite bail bonds and surety bonds to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

April 24 , 2017.  
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( LISA GILL )  
JUDGE

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |