

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

Crl. Misc. M- 42077 of 2017 (O&M)
Date of Decision: November 13, 2017

Harbhajan Lal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.136 dated 08.10.2016, under Section 306 of Indian Penal Code, registered at Police Station Rahon, District SBS Nagar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 20.10.2016 and charges have been framed. It is argued that a reading of the FIR would show that the marriage was five years old and there were differences between the parties, in fact, several compromises took place to settle the dispute. It is also contended that the statement of the complainant has already been partly recorded and an application has been moved under Section 319 Cr.P.C. to summon Sunita Rani, Bimbo and Bittu as co

accused. It is also submitted that on account of this application, the trial is likely to be delayed, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail, while submitting that the petitioner is the husband of the deceased, who died in her matrimonial home.

I have heard learned counsel for the parties.

In view of the facts that petitioner herein has been in custody since 20.10.2016 and the trial is likely to take some time on account of an application that has been preferred under Section 319 Cr.P.C., no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

November 13, 2017

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No