

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

CRM-M-42286-2017 (O&M)
Date of decision : 14.11.2017

Balkar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. TPS Tung, Advocate for the petitioner.

Ms. Anju Arora, Addl.A.G., Punjab,
assisted by ASI Joginder Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.24 dated 25.10.2016, registered under Section 306 of the Indian Penal Code, at P.S. Kotli Surat Malhi, Police District Batala, District Gurdaspur.

Contents that the petitioner, aged more than 60 years, is father-in-law of the deceased. The marriage took place in the year 2005 and the couple had been maintaining a separate household as is evident from the ration card and electric meter bill (Annexures P-2 and P-3). The allegations are that the petitioner along with co-accused forcibly administered sulphas tablets to the deceased, which is highly improbable.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits that there are specific allegations against the petitioner. The challan stands presented and the matter is now fixed for framing of charges.

Heard.

The petitioner is the father-in-law of the deceased. He is in

custody since 02.05.2017. Nothing is to be recovered from him as the investigation is complete and challan stands presented. The conclusion of trial may take considerable time as even the charges are yet to be framed, therefore, this Court feels that no useful purpose would be achieved in keeping the petitioner under further incarceration.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

14.11.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No