

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

CRM No. M-430-2017

Date of decision: 27.01.2017

Vikrant Anand

..... Petitioner.

Versus

State of Punjab

..... Respondent.

CORAM: HON'BLE MS. JUSTICE LISA GILL

Present: Mr. Dinesh Mahajan, Advocate, for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab.

LISA GILL, J.

The petitioner prays for grant of bail pending trial in FIR No. 56 dated 17.06.2016 registered under Section 306 of the Indian Penal Code (for short 'IPC') at Police Station Kanwan.

It is submitted that the petitioner and the deceased had been married for over twelve years and there was never any complaint, what so ever against the petitioner regarding any maltreatment or cruelty rendered towards his wife. The FIR has been registered on the basis of secret information. There are two minor children born out of this wedlock, who are being looked after by the petitioner's family. There is no evidence to indicate commission of an offence under Section 306 IPC qua the petitioner. He is in custody since 19.06.2016. No recovery is to be effected. Therefore, this petition be allowed.

Learned counsel for the State while not disputing the fact that the FIR was registered on the basis of a secret information submits that additionally a statement of Ajay Kumar, maternal uncle of the deceased has been recorded, wherein he has stated that he saw the deceased and the petitioner standing by the side of a canal and quarrelling with each other.

No other evidence is pointed out by the learned counsel for the State.

Heard learned counsel for the parties.

The trial is pending and is not likely to conclude in the near future. Only one prosecution witness has been examined so far. No useful purpose would be served by keeping the petitioner incarcerated. No recovery is to be effected from him. Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition

Consequently, the petitioner shall be released on bail pending trial in case FIR No. 56 dated 17.06.2016 registered under Section 306 IPC at Police Kanwan subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

(LISA GILL)
JUDGE

27.01.2017

PA

Whether speaking/reasoned : *Yes/No.*

Whether reportable : *Yes/No.*