

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-784-2017

Date of Decision:- 24.01.2017

Sandeep Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Ishaan Pasricha, Advocate,
for the petitioner.**

Ms. Manpreet Dhaliwal, AAG, Punjab.

RITU BAHRI, J. (Oral)

Present petition is for release of petitioner on regular bail in FIR No.200 dated 09.06.2015, under Section 306 IPC, registered at Police Station Jodhewal, District Ludhiana.

Learned counsel for the petitioner submits that in the FIR there was no allegations against the petitioner, however, in the supplementary statement recorded on 30.06.2015, he has been falsely implicated in the present case. As per opinion report of doctor (Annexure P-2), the victim was suffering from Prognosis, which was tend to be worse in Scleroderma case i.e. 9 year survival rate and breast cancer and lung cancer generally occur in these disease. Moreover, this Court has granted the anticipatory bail to Narinder Kaur, mother of the petitioner, vide order dated 04.11.2016 (Annexure P-4).

Vide order dated 12.12.2016 (Annexure P-5), the anticipatory bail was

declined to the petitioner on the ground that he was voluntarily surrendered in the Court on 12.09.2016 and the victim was in the house of her parents before her death and her condition was not good. The cause of death as per report of the chemical examiner 'organ phosphorous' detected from the viscera.

Learned State counsel, on instructions from investigating officer, has informed that out of total 20 witnesses, none has been examined so far.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The petitioner was arrested on 12.09.2016. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. The final conclusion of trial will take a long time.

In view of above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Ludhiana.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

January 24, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No