

Sr. No.207
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-8594 of 2017 (O&M)

Date of Decision:21.03.2017

Jeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. P.S.Dhaliwal, Advocate,
for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This is the second petition preferred by the petitioner under Section 439 Cr.P.C. seeking regular bail in case FIR No.33 dated 24.03.2015, under Sections 302/34 IPC, registered at Police Station Barnala, District Barnala.

FIR came to be registered on the statement of Baljit Singh. Deceased is his sister, namely, Harpreet Kaur. Present petitioner is the father-in-law of the deceased. Precise allegations are that the matrimonial alliance between deceased and her husband, namely, Sukhwinder Singh was not smooth as the deceased was an 'Amritdhari' whereas her husband was habitual of taking liquor. Harpreet Kaur was being harassed by her husband and in-laws. On 24.03.2015 when the complainant reached the matrimonial village of his sister to meet her then at about 11:00 a.m. he saw that his sister had been pinned down. The present petitioner is alleged to have caught hold of the legs of the deceased and there was froth coming from the mouth of the deceased. Complainant alleged that his sister had been done to death by administering her some poisonous substance. Complainant further

asserted that upon seeing his presence, the accused party fled away.

Petitioner was arrested on 24.03.2015.

Learned counsel appearing for the petitioner has vehemently contended that the petitioner has undergone incarceration since long. Further submitted that the sister-in-law and mother-in-law of the deceased and against whom similar allegations had been levelled by the complainant were found innocent by the investigating agency and as such this would in itself create a serious dent in the prosecution version.

Having heard counsel for the parties at length, this Court is not inclined to grant the benefit of bail to the petitioner.

Sister-in-law and mother-in-law of the deceased even though having been found to be innocent by the investigating agency had subsequently been summoned to face trial as additional accused by virtue of an application under Section 319 Cr.P.C. having been allowed by the trial Court.

Learned State counsel upon instructions from ASI Ajaib Singh has apprised the Court that Viscera report has since been received and as per which a categoric opinion has been rendered that death of Harpreet Kaur is on account of the poisoning as organo phosphorus has been detected.

For the reasons recorded above, the prayer made in the petition is declined at this stage.

Petition dismissed.

21.03.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No