

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-12673 of 2018
Date of Decision: 01.5.2018**

Balbir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Mr. K.S.Aulakh, DAG, Punjab.

Mr. Sandeep Godara, Advocate
for the complainant.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 93 dated 24.12.2017 registered at Police Station Ghuman Kalan, District Gurdaspur under Sections 498-A, 406, 328, 307 IPC.

Counsel for the petitioner contends that petitioner is the father-in-law who is in custody since 25.12.2017. He further submits that there are no specific allegations as to who had forced the complainant to consume poison and the only allegations are contained in para 6 of the order of trial Court regarding the occurrence of 21.4.2017. The counsel also states that the FIR has been registered in December 2017.

The bail application is opposed by the complainant as well as the State counsel. It is stated that a supplementary statement was made where the girl has levelled allegations against the in-laws and has ascribed a

role to each of them.

The medical record shows that the complainant was taken to the hospital on 21.4.2017 where no history was given by the complainant. She was shifted to another hospital. The statement on which the FIR has been lodged was made on 4.5.2017 wherein the complainant does not detail the manner in which the incident had occurred but in the supplementary statement given on 24.12.2017, she gives a different account and there is delay in the FIR. Even the supplementary statement does not contain the date on which it was written.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

May 01, 2018

Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No