

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

CRM-M-15181-2018
Date of decision: 28.08.2018

Jagga Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Gurinder Singh, Advocate,
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 117 dated 15.10.2017 under Sections 307, 498-A, 34 IPC (Section 302 IPC added lateron), registered at Police Station Bhikhi, District Mansa.

Learned counsel appearing on behalf of the petitioner contends that the petitioner is the father of Sarban Singh, husband of the deceased. It is argued that marriage between Sarban Singh and the deceased was solemnized about 14 years ago and in the interregnum period no such incident regarding cruelty/ demand of dowry has been recorded. It is also argued that the petitioner is in custody since 24.10.2017 and the material witnesses have been examined. In this background, he prays for grant of bail to the petitioner.

Ms. Rajni Gupta, learned Sr. DAG, Punjab opposed the grant of regular bail while submitting that the petitioner herein is involved in a heinous offence.

I have heard learned counsel for the parties.

In view of the long incarceration and that the trial is not likely to be concluded in near future, while also taking note of the fact that the husband of the deceased is in custody, the present petition is allowed. Without expressing any opinion on merits of the case, the petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

28.08.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.