

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

Crl. Misc. M-15313 of 2018 (O&M)
Date of Decision: April 25, 2018

Hardip Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Atul Goyal, Advocate
for the petitioner.

Mrs. Anju Arora, Addl. AG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.115 dated 08.10.2016, under Sections 306/34 of Indian Penal Code (however, Section 306 of Indian Penal Code deleted and 302/201 of Indian Penal Code added subsequently), registered at Police Station Anandpur Sahib, District Rupnagar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 07.11.2016. It is submitted that the petitioner is falsely implicated in the present case. It is argued that the marriage in question was solemnized in the year 1989 and out of which wedlock two sons were born. It is

submitted that both the two major sons of the deceased were not joined in the investigation, besides the elder sister of the deceased, who also married to other son of the petitioner and now is a widow. It is also argued that dead body of the deceased has not been recovered till date. It is also contended that co-accused Pushpinder Kaur @ Bhollu and Ram Kaur have already been granted anticipatory bail by this court on 10.01.2018 and 27.03.2018 respectively, therefore, the petitioner herein is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular to the petitioner, while submitting that offences alleged against the petitioner are serious in nature. However, does not dispute the fact that co-accused Pushpinder Kaur @ Bhollu and Ram Kaur have already been granted anticipatory bail by this court.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 07.11.2016 and that there is no explanation as to why version of the elder sister of the deceased residing in the same house as well as major sons of the deceased have not been recovered, coupled with the facts that co-accused Pushpinder Kaur @ Bhollu and Ram Kaur have already been granted anticipatory bail by this court, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and

the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

April 25, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No