

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

Crl. Misc. M-17436 of 2017 (O&M)
Date of Decision: July 25, 2018

Jagdish Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajiv Joshi, Advocate
for the petitioner.

Ms. Rajni Gupta, Senior DAG Punjab.

Mr. Sandeep Arora, Advocate
for the complainant.

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.79 dated 29.09.2016, under Sections 304-B, 34 of Indian Penal Code, registered at Police Station Noormahal, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner herein, who is the brother-in-law of the deceased, was taken into custody in the aforesaid FIR on 30.09.2016. It is argued that in fact, the petitioner was separate in accommodation away from his parents and the deceased. It is also contended that the complainant has been examined and now an application under Section 319 Cr.P.C. has been preferred, therefore, the

conclusion of trial will take sufficient time.

Per contra, learned State counsel, on instructions from the Investigating Officer as well as counsel for the complainant, oppose the grant of regular bail to the petitioner, while contending that they were joint in mess.

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 30.09.2016, that statement of the complainant has been recorded and that now the matter is pending for consideration on the application preferred under Section 319 Cr.P.C., 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.

July 25 , 2018

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(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No