

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

CRM-M-18483-2018
Date of decision: 30.08.2018

Lakhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vivek K. Thakur, Advocate,
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Mr. P.S. Ahluwalia, Advocate,
for the complainant.

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.90 dated 13.10.2016 under Sections 304-B / 34 IPC, registered at Police Station Bholath, District Kapurthala.

Learned counsel appearing on behalf of the petitioner contends that a reading of the inquiry report of the Superintendent of Police would conclude that there was no demand of dowry and, therefore, the charges as framed are not made out. It is also argued that co-accused Balkar Singh has been released on regular bail by order dated 17.04.2017.

Learned counsel for the petitioner also contends that subsequent to the proceedings having been initiated, an application under Section 319 Cr.P.C. has been filed in which mother-in-law has been

summoned.

Learned counsel appearing on behalf of the respondent-State as well as learned counsel appearing on behalf of the complainant opposed the grant of regular bail on the grounds that (i) this is a second bail application, the first application dated 19.01.2018 was dismissed as withdrawn and that viscera report confirms the fact that the poison was detected. It was a marriage of only four years. It is also argued that Balkar Singh was allowed the concession of regular bail by taking the enquiry report into account which enquiry report in fact holds him to be of good character, whereas the petitioner herein has been recorded to be mentally sick and a person who caused harassment to the deceased.

Learned counsel for the respondent-State submits that after application under Section 319 Cr.P.C. has been allowed, all the material witnesses have since been examined and the matter is now posted for 07.09.2018 on which date the other formal witnesses will be examined.

After hearing the counsel for the parties, this Court does not find any ground for granting regular bail to the petitioner and the same is hereby dismissed in view of the fact that the trial is almost complete.

However, while disposing of the instant petition, it is directed that the Addl. Sessions Judge, Kapurthala would conclude the trial as expeditiously as possible.

30.08.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.