

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

Crl. Misc. M-20804 of 2018 (O&M)
Date of Decision: July 27, 2018

Amanjot Singh @ Joti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG 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.175 dated 26.08.2017, under Sections 498-A, 34 of Indian Penal Code (Section 304-B of IPC added later on) registered at Police Station Beas, District Amritsar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 10.09.2017. It is argued that even in the dying declaration that has been recorded, it has been stated that she was fed up of doing work throughout the day and on account of the fact that her husband used to talk to her in anger. It is stated that on a specific question that was put to her as to whether the husband or brother-in-law or sister-in-law had demanded anything from her, it was categorically replied in negative. It is also submitted that the mother-in-law is in custody,

against whom there is an allegation of demand of gold earring. It is also contended that 03 witnesses have already been examined and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

At this stage, Mr. Kanwar Pahul Singh, Advocate puts in appearance on behalf of the complainant and files the power of attorney, which is taken on record. He opposes the grant of regular bail to the petitioner.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer opposes the grant of regular bail to the petitioner, while submitting that the offences alleged the petitioner are serious in nature. However, does not dispute the fact that three witnesses have been examined.

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 10.09.2017 and that three witnesses have already been examined, 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 27, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No