

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

Crl. Misc. M 32218 of 2018 (O&M)
Date of decision: 6.9.2018

Shah Alam

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Ms. Seena Manda, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The petitioner herein has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No. 168 dated 16.8.2017, under Sections 304-B/34 IPC registered at Police Station Division No. 4, District Ludhiana.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 15.8.2017. It is contended that in fact the deceased used to talk to someone till late night and when objected to, the deceased locked herself inside the room and committed suicide by hanging. It is also contended that the children born out of the wedlock are still residing with the parents of the petitioner. It is also contended that charges were framed as far back as 27.2.2008 , but as on date no one has come forward to have the statement

recorded from the side of the prosecution. The trial is likely to take some time. No useful purpose would be served by keeping the petitioner behind bars till the conclusion of the trial. He prays that the petitioner be admitted to regular bail.

Learned counsel for the respondent-State opposes the grant of bail on the ground that the charges levelled against the petitioner are of serious nature and as such he does not deserve the concession of regular bail.

I have heard learned counsel for the parties.

Without going into the merits of the case and keeping in view the facts that the petitioner is in custody since 15.8.2017, statement of not a single witness has been recorded despite the fact that charges were framed on 27.2.2018 and the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

6.9.2018
prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No