

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

Crl. Misc. M-37627 of 2017 (O&M)
Date of Decision: March 27, 2018

Manvinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sunil Chadha, Senior Advocate with
Mr. Maneet Kumar, Advocate
for the petitioner.

Mr. A.S. Sandhu, Addl. AG Punjab.

Mr. Harvinder Singh, Advocate for
Ms. Gaganbir Kaur Kakkar, 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.166 dated
26.06.2017, under Sections 302, 313, 314, 315 and 34 of Indian Penal Code,
registered at Police Station Sidhwan Bet, District Ludhiana.

Learned Senior counsel for the petitioner contends that the
petitioner herein was taken into custody in the aforesaid FIR on 27.06.2017.
It is submitted that petitioner-Manvinder Singh is the elder brother of
Irwinder Singh, who is the husband of deceased Manjeet Kaur. It is argued
that the petitioner and his brother were residing separately, on account of

the fact that the love marriage between them was not approved of by his mother and the petitioner. In fact, they have been arrested on the basis of a statement given by Chuhar Singh son of Inder Singh and Joginder Singh son of Bhagwan Singh, who purport and projected themselves to have last seen the petitioner and a person to whom the alleged confession was made. It is submitted that the trial is not proceeding, while also submitting that both the witnesses on whom the prosecution is relying upon have since expired.

Per contra, learned counsel appearing on behalf of the respondent-State as well as counsel for the complainant oppose the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature. However, does not dispute the fact that the trial is not progressing.

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 27.06.2017 and that husband of the deceased is already in custody and both the witnesses relying upon by the prosecution have already expired, 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.

(JAISHREE THAKUR)
JUDGE

March 27, 2018
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No