

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

CRM-M-4462-2018 (O&M)

Date of decision: 20.03.2018

Jagga Singh @ Jaggi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. H.S. Jalal, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.38 dated 07.05.2016, under Sections 302/34 IPC, registered at Police Station Sadar Bathinda.

Deceased in the present case is Malkiat Singh. Complainant is father of the deceased, namely, Leelu Singh.

As per prosecution version, blood was lying on the earth as well as on the cot from where dead body of Malkiat Singh was recovered. Prosecution case is that the injury was caused by a knife and which was recovered from co-accused, Karamjit Kaur i.e. wife of the deceased.

Karamjit Kaur (co-accused) has been granted benefit of bail by a Coordinate Bench of this Court vide order dated 11.09.2017 passed in **CRM-M-26972-2017** (Annexure P-5). While granting bail to Karamjit Kaur (co-accused), the deposition of Dr. Beant Singh Maan, Medical Specialist Civil Hospital, Bathinda, PW2 was noticed and as per which the cause of death was to be strangulation on the neck.

Insofar as the present petitioner is concerned, he is sought to be implicated on the basis that he was in illicit relationship with Karamjit Kaur (co-accused).

Petitioner was arrested on 11.05.2016.

It is a case of circumstantial evidence.

Petitioner has already faced incarceration for a period of almost 22 months.

Without making any observations on merit, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of trial Court/Duty Magistrate, concerned.

Disposed of.

20.03.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |