

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

CRM-M-46961-2017 (O&M)

Date of decision : 15.01.2018

Salinder Kumar @ Rinku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. S.P. Soi, Advocate for the petitioner.

Mr. Suveer Sheokand, Addl.A.G., Punjab,
assisted by ASI Jagtar Singh.

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

JITENDRA CHAUHAN, J. (Oral)

This is the third petition preferred by the petitioner under Section 439 of the Code of Criminal Procedure, for grant of bail in FIR No.59 dated 24.07.2013, registered under Sections 304-B, 314, 498-A, 420, 465, 468 and 471 read with Section 34 of the Indian Penal Code, at P.S. Nurmahal, District Jalandhar.

Learned counsel refers to the statements of PW-1-Neel Kamal Sharma, brother of the deceased and PW-2-Raj Kumar, complainant to contend that both these witnesses have given wrong date of marriage so that the rigor of Section 304B IPC is invoked against the petitioner. He further refers to the medical evidence on record to contend that the cause of death in the instant case is multiple organ failure due to severe infection and not as projected by the prosecution. The petitioner is in custody since 17.08.2013. All the material witnesses stand examined.

On the other hand, learned State counsel, on instructions

submits that out of 29 prosecution witnesses, 12 already stand examined.

Learned counsel for the complainant contends that the earlier bail petition was dismissed by this Court on 12.09.2017, whereas, the statement referred to by learned counsel for the petitioner was recorded much prior on 16.05.2017.

Heard.

The petitioner being husband of the deceased, is the main accused. The import and effect of the testimony of the prosecution witnesses shall be gone into by the trial Court, at appropriate stage. This is the third bail petition moved by the petitioner, however, he has not been able to cite any fresh circumstances in his favour.

In view of the above, no case for grant of bail is made out, at this stage.

Dismissed.

However, keeping in view the period of incarceration already undergone by the petitioner, the trial Court is directed to conclude the trial expeditiously, preferably, within a period of four months from today.

Nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

15.01.2018.

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**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No