

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

CRM-M-50395-2018

Date of Decision: 21.11.2018

Daljit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Puja Chopra, Advocate
for the petitioner.

Mr. Luvinder Sofat, Asstt. A.G., 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.135 dated 02.12.2017, under Section 306 of Indian Penal Code, registered at Police Station Julkan, District Patiala.

Learned counsel for the petitioner contends that the allegations as set out in the FIR would not constitute an offence under Section 306 IPC. The cause of death as contended in the FIR is on account of being fed up with the beatings and consumption of liquor by her husband. It is further argued that there are three minor children, who are residing with the petitioner herein, are to be looked after. He further submits that the matter has been

investigated and the challan has been presented, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from HC Baljinder Singh, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, he does not dispute the fact that investigation has been completed and challan has been presented.

I have heard learned counsel for the parties.

Since, investigation in the matter has been completed and the challan has been presented, the trial is likely to take some time and in view of the fact that the petitioner herein has been in custody since 06.12.2017, 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 bonds to the satisfaction of concerned trial Court/Duty Magistrate.

21.11.2018
satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No