

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

CRM-M-53254-2018

Date of Decision:11.12.2018

Sanjeev Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Mr. Lakhwinder Singh Mann, Advocate
for the petitioner.

Mr. Balbir Singh Sewak, Addl. A.G. 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.47 dated 23.07.2017, under Sections 306, 34 IPC at Police Station Kanwan, District Pathankot.

Learned counsel for the petitioner herein contends that the allegations as set out in the FIR are patently false. It is also submitted that the viscera report would show that there is no poisoning and that the deceased died due to asphyxiation/drowning. It is further contended that petitioner herein is in custody since 30.10.2017 and the other co-accused have already been granted regular bail in CRM-M-35538-2018. It is further contended that deceased was under depression on account of the fact that her brother had also committed suicide a short while ago. It is also contended that out of the total 26 witnesses who are cited, only the statement of complainant has been recorded. It is also argued that since 10.08.2018, the prosecution has not made any effort to get the rest of the witnesses examined.

Without going into the merits of the case and keeping in view the fact that trial is likely to take some time to conclude, the present petition is allowed 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.

11.12.2018
rajeev

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No