

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

Criminal Misc. No.M- 5906 of 2018(O&M)

Date of Decision: March 09 , 2018.

Jaswinder Singh

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Vikas Nagra, Advocate and
Mr. Ashwani Nagra, Advocate
for the petitioner.

Mr. Sukhbir Singh, AAG, Punjab.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.116 dated 02.08.2016 under Section 306 IPC, registered at Police Station Shambhu, Tehsil Rajpura, District Patiala

It is submitted that the petitioner has been falsely implicated in this case. Marriage between the petitioner and the daughter of the complainant (the deceased) took place in the year 2011. One child was born out of this marriage. It is submitted that there is nothing on record to indicate that the deceased had ever been subjected to any kind of ill-treatment at the hands of the petitioner since their marriage till the unfortunate incident on 01.08.2016. It is further contended that it is debatable whether the allegations in the FIR constitute an offence punishable under Section 306 IPC qua the petitioner. The petitioner, it is

submitted, is not involved in any other criminal case and has been in custody since 02.08.2016. The petitioner undertakes not to misuse the concession of bail, if afforded to him. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Bhupinder Singh, confirms that at this stage there is nothing on record to indicate that any protest, representation etc. had been moved regarding ill-treatment of the deceased since her marriage in the year 2011 till the unfortunate incident. Eight prosecution witnesses are yet to be examined. The petitioner is not reported to be involved in any other criminal case. He is in custody since 02.08.2016. Trial in this case is not likely to conclude in the near future.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

March 09 , 2018.
'om'

(LISA GILL)
JUDGE

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