

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-6053 of 2018

Date of Decision: 22.02.2018

Manjinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Mr. Pawan Sharda, Sr. D.A.G., Punjab.

Mr. Sandeep Arora, Advocate
for the complainant.

ANITA CHAUDHRY, J

This is the 3rd application by the petitioner seeking regular bail in FIR No. 79 dated 16.5.2015 registered at Police Station Division No.7, Jalandhar under Sections 306/498-A IPC and alternate charge has been framed under Section 304-B IPC.

The present bail application has been filed on behalf of the husband. The first petition was withdrawn on 04.11.2015. The second petition was withdrawn on 16.05.2016.

Learned counsel for the petitioner contends that the petitioner is the husband of Barinderjit Kaur @ Dolly deceased and their marriage had taken place on 05.02.2013 and the incident had occurred on 16.05.2015. The counsel submits that the FIR was lodged by the brother who in the initial complaint does not speak about any demand of dowry and after 8

days he had made a supplementary statement. The counsel further submits that 4 days prior to the incident the wedding of the brother of the petitioner was solemnized where close relative of the deceased and the families of both the sides had participated. The counsel submits that the petitioner is in custody for over 2 years and 9 months and the trial is getting delayed as application under Section 319 Cr.P.C. had been filed. The counsel further submits that the complainant has been examined and the dispute did not relate to dowry and they have put their defence to the complainant. The counsel submits that the jewellery was given by the parents of the cousin to the deceased and difference arose and she did not hand it back. The counsel submits that the deceased had spoken to her brother and the details of the conversation are mentioned in the complaint and there is no reference to dowry and as the trial is taking time, bail be allowed.

The petitioner is in custody for over 2 years and 9 months. The trial has got delayed. It would take more time as the application for summoning additional accused was filed.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

February 22, 2018

ps-I

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No