

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-55944 of 2018

Date of Decision: 21.12.2018

Akashdeep Singh alias Shera

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 286 dated 26.9.2016 registered at Police Station Sultanwind, District Police Commissionerate, Amritsar under Sections 306, 34 IPC (Section 302 IPC added vide general diary No. 20 dated 3.8.2017).

Counsel for the petitioner contends that petitioner is in custody since 9.8.2018 and challan has been presented but charge has not been framed. Counsel further submits that the petitioner was not married to the deceased and it is the police who took the deceased to the hospital and in the FIR the version is that poison was administered to her. Counsel also submits that no poison was found and the PMR notices bleeding from the ear. Counsel also states that the deceased herself had taken the room on rent.

State counsel informs that the histopathology report refers to the fact that there was a compression of vital part of the brain which led to her death and the landlord had made a statement that it was the petitioner

who had taken the room on rent.

Admittedly, the landlord remains in the same property on which the deceased was stated to be living on rent. The petitioner denies the marriage. The deceased was earlier married and it is mentioned in the FIR that she had obtained divorce. In the initial version the case was that some poison was given, however, no poison was found in the FSL report. However, the cause of death is now bleeding on account of injury on the temporal region. There is no eye witness. The landlord in his statement has not referred to any incident which had occurred. The deceased was found few yards away from the rented accommodation.

Considering the circumstances and without commenting anything on the merits of the case, I am inclined to grant bail. The petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

December 21, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No