

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

228

CRM-M-1413-2019

Date of Decision: 10.05.2019

Raminder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. B.S. Toor, Advocate,
for the petitioner.**

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

**Mr. G.S. Jagpal, Advocate,
for the complainant.**

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.133 dated 26.06.2018 under Section 306 IPC, registered at Police Station Samrala, District Ludhiana.

Learned counsel for the petitioner has argued that Dalwinderjit Kaur was married with the petitioner on 01.11.2015 and she died on 26.06.2018 by hanging from a ceiling fan with the help of 'Dupatta'. He has further argued that apart from the fact that petitioner is in custody since 27.06.2018, there is no evidence against him that the deceased was ever given beating by the petitioner or his family members. The deceased has left behind 2½ years old daughter who is being taken care by the sister of the petitioner as his old parents are bed ridden. As against total 14

trial in the case will take sufficient long time.

Learned counsel for the complainant has opposed the bail application on the ground that the deceased solemnized the marriage with the petitioner on 01.11.2015 and she had died within three years of marriage. He has further argued that the petitioner strangled the deceased, which led to her death. However, he does not dispute the custody.

Learned State Counsel, on instructions from ASI Sukhwinder Pal Singh, has also argued that since the deceased had died within a period of less than three years of marriage, petitioner is not entitled to be admitted on bail.

Heard learned counsel for the parties.

The fact that the petitioner is in custody since 27.06.2018 is not in dispute. The deceased had left behind 2½ years old daughter, who is being taken care by the sister of the petitioner as her grand-parents are bed ridden. The trial in the case will take sufficient long time as against total 14 witnesses cited by the prosecution, only 07 witnesses have been examined so far. Even the post-mortem report so produced by learned State Counsel does not refer any mark of injury on the person the deceased, so the culpability in the case is yet to be established during the course of trial. Thus, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, the observations made hereinabove shall not be

construed as an expression on the merits of the case. The trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses directly or indirectly in any manner.

May 10, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No