

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

CRM-M-12913 of 2019.

Decided on:- March 27, 2019.

Sukha Ram.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

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

Present:- Mr. F.S. Virk, Advocate
for the petitioner.

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

HARI PAL VERMA, J. (Oral)

The petitioner has filed present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.121 dated 19.09.2018 under Section 306 of the Indian Penal Code registered at Police Station Ghagga, District Patiala.

Learned counsel for the petitioner states that the marriage of the petitioner was solemnised with the deceased about 8-9 years back and out of this wedlock, two children were born. The wife of the petitioner had died on 19.09.2018 as she had consumed poison. The petitioner is in custody since 03.10.2018. The FIR was registered at the behest of Ramesh Kumar brother of the deceased and he has made allegations against the petitioner and his parents. However, during investigation, parents of the petitioner were found

innocent and were exonerated. Therefore, statement of the complainant is quite doubtful.

Learned State counsel has filed the custody certificate in Court today, which is taken on record. On instructions from ASI Mahia Ram, he states that the charge in the case was framed on 13.02.2019 and no witness of the prosecution has been examined so far.

Having heard learned counsel for the parties and considering the fact that the petitioner is in custody since 03.10.2018 and conclusion of trial is likely to take long time, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

However, it is made clear that in case the petitioner influences the prosecution witnesses in any manner directly or indirectly, the prosecution shall be at liberty to seek cancellation of his bail.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

March 27, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No