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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision-07.05.2019

1. CRM-M-19283-2019

Maya @ Mayawati

...Petitioner

Vs.

State of Punjab

...Respondent

2. CRM-M-19843-2019

Om Parkash

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Anoop Singla, Advocate for the petitioner(s).

Mr. Kirat Singh Sidhu, DAG, Punjab assisted by
HC Gurjant Singh.

MANOJ BAJAJ, J.

Prayer in these petitions filed under Section 439 Cr.P.C is for grant of regular bail to the petitioners, namely, Maya @ Mayawati and Om Parkash in case FIR No.0066 dated 18.09.2018 for the offence punishable under Section 306 of Indian Penal Code registered at Police Station Sadiq, District Faridkot. Petitioners, namely, Maya @ Mayawati and Om Parkash are respective Bua and uncle of Simran Kaur (wife of Deepak-deceased). The petitioners are in custody since their arrest on 19.09.2018.

The FIR was registered on the statement of Rajinder Kumar

wherein it was alleged that his son, namely, Deepak was married to Simran Kaur on 14.09.2016 and one child-Aryan was born out of this wedlock. There was dispute between husband and wife. As per the allegations, doubt upon Simran Kaur's character was expressed and it was further narrated that her Bua and uncle (petitioners) used to instigate her for illicit works. According to the complainant, relations between husband and wife were strained. On 17.09.2018, one scorpio car bearing No.PB-04-U-5001 driven by Sukhmanjit Singh along with three accused, brought his son on bed in unconscious condition and went away in the same vehicle. Complainant took victim to hospital where he was declared brought dead as he has consumed some poisonous substance.

Learned counsel for the petitioners contends that the marriage between co-accused Simran Kaur and victim Deepak was solemnized on 14.09.2016 and according to him, the dispute erupted between husband and wife. It is further contended that the only allegations against the petitioners is regarding instigation. He further contends that investigation of the case is complete.

On the other hand, learned State counsel assisted by HC Gurjant Singh opposed the bail application. On instructions, State counsel submits that investigation of the case is complete and four witnesses have already been examined out of 14 witnesses and the petitioners are in custody since their arrest on 19.09.2018.

Considering the stage of the trial and the fact that the petitioner(s)-Maya @ Mayawati is a lady and Om Parkash is a person of an

advanced age, this Court is of the opinion that further detention of the petitioners is not justified. Therefore, without meaning any expression of opinion on the merits of the case petition is allowed and the petitioners are ordered to be released on regular bail subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Faridkot.

The petition is allowed.

07.05.2019

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No