

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No.M-42317-2018

Date of decision :12.04.2019

Gautam

.....Petitioner

versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rahul Rampal, Advocate, for the petitioner.
Mr. Bhupender Beniwal, AAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail in FIR No.112 dated 28.04.2018, registered under Sections 302/201/34 IPC at Police Station Division No.4, District Police Commissionerate, Ludhiana.

Counsel appearing for the petitioner has submitted that initially when the FIR was registered, no allegations were made against the petitioner. However, subsequently, on 27.04.2018, complainant, who is brother of the deceased changed his stand and alleged that Patit Pawan has been killed by the wife of Patit Pawan and petitioner Gautam by strangulation. He has further submitted that as per the report of the Forensic Science Laboratory, the cause of death is hanging.

On the other hand, learned State counsel has pointed out that the trial is in progress and there are total 21 witnesses to be examined by the prosecution, out of which 3 witnesses including complainant/author of the FIR have been examined. However, he submits that the petitioner is involved in a heinous crime and therefore, petitioner should not be ordered to be released on bail.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 28.04.2018 and the trial of the case is likely to take a long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Accordingly the petition is allowed with the aforesaid directions.

April 12, 2019
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No