

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-22630-2019

Date of Decision:24.05.2019

Bal Krishan

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Amandeep Singh, Advocate,
for the petitioner.

Mr. Jagmohan Ghumman, D.A.G., Punjab.

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.93 dated 26.07.2018 under Sections 306, 34 IPC, 1860, registered at Police Station Doraha, Police District Khanna, Ludhiana.

Learned counsel for the petitioner states that the petitioner is in custody since 31.07.2018. He got married with deceased-Gunjan Devi on 25.04.2011 and out of this wedlock, two children were born and she died on 24.07.2018. The allegations against the petitioner are general in nature like harassment given to the deceased on one pretext or the other. He states that in the absence of mother, children are suffering adversely and right now, they are staying with the mother of the petitioner.

Learned State Counsel does not dispute the custody and the fact

that the children are living with the mother of the petitioner.

Heard learned counsel for the parties.

As per FIR which was registered at the behest of Durgawati Devi, who is mother of the deceased, on 23.07.2018 her daughter Gunjan Devi had called the complainant on phone that she is too much disturbed from her husband-Bal Krishan, mother in law-Malti Devi and father-in-law-Ashok Kumar as they are harassing her on one or the other pretext. She is too much upset from them and wanted to finish her life.

In this manner, the allegations are general in nature. The prosecution has cited 12 witnesses and as per learned State Counsel, only 03 witnesses have been examined which includes father of the deceased. Considering the nature of allegations and the fact that the petitioner is in custody since 31.07.2018 and trial in the case is not likely to be concluded in the near future, 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 24, 2019
seema

(HARI PAL VERMA)
JUDGE

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