

225.

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

CRM-M-23746-2019

Date of decision:28.05.2019

GURMEET SINGH

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ramandeep, Advocate, for the petitioner.

Mr.Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.121 dated 31.05.2018 registered under Sections 302, 34 of IPC at Police Station Patran, District Patiala.

Counsel for the petitioner states that initially the FIR was registered under Sections 302, 34 IPC. However, during investigation, no offence under Section 302, 34 IPC was made out and the challan was presented under Section 306 IPC. Even the parents of the petitioner were found innocent. Petitioner is in custody since 29.10.2018. Petitioner was married to the elder sister of the deceased about 16 years ago and as his wife died, the petitioner solemnized second marriage with the deceased-Meera Devi. No child was born to them and for this reason, she remained under depression and consumed poison.

Learned State counsel, on instructions from HC Roop Singh, does not dispute the custody. However, he states that the deceased had died in the matrimonial home and immediately before death, she has told

the complainant that she was forced to consume some tablet by the petitioner and in-laws, as there was a quarrel between them on the pretext of a child.

I have heard learned counsel for the parties.

Petitioner is in custody since 29.10.2018. Initially the FIR was registered under Sections 302, 34 IPC. However, during investigation, challan was presented under Section 306 IPC. The parents of the petitioner were found innocent. The deceased had solemnized marriage with the petitioner about 4 years ago. Once the version of the complainant involving the in-laws as accused, is found false, this Court finds that the culpability of the petitioner is yet to be established during the trial. Challan in the case has been presented and no prosecution witness has been examined so far, the trial in the case is likely to take sufficient time. Accordingly, this Court deems it appropriate to admit the petitioner on bail.

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

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

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

28.05.2019

sanjeev	Whether speaking/reasoned?	Yes/No
	Whether reportable?	Yes/No