

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202+108

CRM-M-24617-2019 (O&M)

Date of Decision:04.06.2019

Balkaran Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

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

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

Mr. Vikas Mohan Gupta, Addl.A.G., Punjab.

Mr. Preetinder Singh Dhaliwal, Advocate,
for the complainant.

HARI PAL VERMA, J.(Oral)

CRM-18849-2019

Learned counsel for the petitioner does not press the present application.

Dismissed as not pressed.

CRM-M-24617-2019

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.41 dated 30.04.2018 under Sections 304-B, 34 IPC, registered at Police Station Kot Bhai, District Sri Muktsar Sahib.

Power of attorney filed on behalf of the complainant today in

the Court, is taken on record.

Learned counsel for the petitioner states that the petitioner is in custody since 30.05.2018. The marriage of the deceased was solemnized with the petitioner in the year 2013 and she died on 30.04.2018. He has further argued that the deceased had died not because of strangulation, rather she had died due to hanging. The co-accused Manjit Kaur, who is mother-in-law of the deceased, has already been admitted on bail by this Court vide order dated 10.04.2019 passed in **CRM-M-47411-2018 (Manjit Kaur Versus State of Punjab)**. The demand of buffaloes and thereafter, the car is unrealistic.

Learned counsel for the complainant has strongly opposed the petition and submitted that the deceased had died because of strangulation and the accused have been consistently demanding dowry from the deceased and in this manner, she was harassed.

Learned State Counsel, on instructions from ASI Manjinder Singh, submits that as per medical record, the deceased had died because of hanging. He does not dispute the custody of the petitioner. However, he states that in case the petitioner is admitted on bail, he may influence the prosecution witnesses including the complainant.

Heard learned counsel for the parties.

This Court finds that the petitioner is in custody since 30.05.2018 and culpability as to whether the deceased had died because of hanging or strangulation is yet to be established during the course of trial. Moreover, co-accused Manjit Kaur, who is mother-in-law of the deceased, has already been admitted on bail by this Court, 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 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 and 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.

June 04, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No