

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

CRM-M-38602 of 2019 (O&M)
Decided on:- November 01, 2019.

Surinder Kumar @ Surinder Pal.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

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

Present:- Ms. Monika Tanwar, Advocate for the petitioner.

Mrs. Jasleen Kaur Sidhu, A.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.204 dated 22.11.2018 under Sections 304-B, 201 and 120-B IPC (Section 302 IPC added during framing of charge) registered at Police Station Division B, District Amritsar.

Learned counsel for the petitioner states that the petitioner is married brother-in-law of deceased Gudiya, who was married with Virender Pal Singh. The petitioner is in custody since 13.12.2018 and Gudiya (since deceased) used to stay separately with her husband Virender Pal Singh.

She has referred to the statement of complainant Vinod @ Suresh, wherein he has stated that the deceased was taken by Virender Pal Singh in a separate house in Kapoor Nagar on rent. She has further argued that Ramwati wife of the petitioner and Sant Ram father-in-law of the deceased have already been admitted on bail.

Learned State counsel does not dispute the custody of the petitioner. However, she has argued that marriage of the deceased was

solemnised with Virender Pal Singh on 24.04.2018 and she had died on 03.11.2018. The dead body of deceased was cremated by the accused including the petitioner without informing her parents. However, she has not disputed the fact that Ramwati wife of the petitioner and Sant Ram father-in-law of the deceased have already been admitted on bail.

I have heard learned counsel for the parties.

The petitioner is in custody since 13.12.2018 and he is married brother-in-law of the deceased. This Court cannot ignore the fact that Ramwati wife of the petitioner and Sant Ram father-in-law of the deceased have already been admitted on bail. Though Gudiya had died within 7-8 months of her marriage, but considering the fact that the petitioner is in custody since 13.12.2018 and his culpability is yet to be decided during the trial, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

November 01, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No