

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

221

CRM-M-2819-2020(O&M)

Date of Decision:29.01.2020

Varinderpal

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Ramnish Puri, Advocate,  
for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

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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.0204 dated 22.11.2018 under Sections 304-B, 201, 120-B IPC (the offence under Section 302 IPC was added during framing of charge), registered at Police Station Division B, District Amritsar.

Learned counsel for the petitioner has argued that marriage of the petitioner was solemnized with the deceased on 24.04.2018 and she died on 03.11.2018. Petitioner is in custody since 13.12.2018 and FIR in question was registered after an inordinate delay of about 19 days. He states that as against total 32 witnesses cited by the prosecution, only 03 witnesses have been examined in the case. The deceased had died natural death because of fever and parents of the deceased were duly informed about her

Learned State Counsel does not dispute the custody period. However, she states that neither the deceased was taken to the hospital nor her parents were informed about the death and rather, they cremated the deceased in sacred manner and in this manner, offence under Section 201 IPC has also been added in the case.

Heard.

Considering the fact that the deceased had died on 03.11.2018 and the present FIR was registered on 22.11.2018, this Court finds that there is an inordinate delay of 19 days in lodging the FIR. Moreover, as against total 32 witnesses cited by the prosecution, only 03 witnesses have been examined. Petitioner is in custody since 13.12.2018. Trial in the case is not likely to be concluded in the near future. Thus, 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.

However, it is made clear that 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 and he shall not cause any delay during trial in any manner.

**January 29, 2020**  
**seema**

**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No