

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225

CRM-M-4324-2020

Date of Decision:26.02.2020

Lakhwinder Singh @ Lakhvir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Ajay Kumar, Advocate,
for the petitioner.

Mr. Hittan Nehra, Addl. 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.73 dated 17.08.2017 under Sections 306, 498-A, 34 IPC, registered at Police Station Banur, District SAS Nagar, Mohali.

Learned counsel for the petitioner states that the deceased got married with the petitioner in the year 2011 and out of this wedlock, two daughters born to them and since there is nobody to look after them, presently they are staying with the sister of the petitioner. On the relevant date, when the deceased had committed suicide, petitioner was not present even at his house and she died because of consuming Organophosphorus. Petitioner is in custody since 28.04.2019. As no PW has been examined, trial in the case is not likely to be concluded in the near future.

Learned State Counsel does not dispute the custody period and

the fact that in the chemical examination report, observations of the Analyst are that Organophosphorus compound detected in the contents of exhibits of I, II, III & V i.e. stomach and its content, part of small and large intestine, liver, spleen and kidney, lung & heart and in blood sample. However, no injury was found on her person.

Heard learned counsel for the parties.

Petitioner is in custody since 28.04.2019. There is no injury on the person of the deceased. As per chemical examination report, she had died because of consuming Organophosphorus. Their two daughters are at the mercy of sister of the petitioner. As no PW has been examined, 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.

February 26, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No