

CRM-M-11385-2020

Date of decision: 21.08.2020

Gurjit Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Veneet Sharma, Advocate
for the petitioner.Mr. A.S. Sandhu, Addl.A.G., Punjab
for the respondent-State.**FATEH DEEP SINGH, J.(ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Petitioner/accused-Gurjit Singh, through this instant petition under Section 439 Cr.P.C. has sought third regular bail application (the earlier two having been dismissed vide orders dated on 11.10.2018 and 07.05.2019 by this Court) in a case bearing FIR No.329 dated 01.12.2014 under Section 304-B of the Indian Penal Code registered at Police Station Patti, District Tarn Taran.

The precise allegations against the petitioner have come from the complainant-Sardool Singh, whose daughter, Manjit Kaur,

now deceased, was got married with the petitioner on 29.11.2014 wherein, sufficient dowry articles and valuables including cash, were given, however, the accused was not happy with the same. It is on 01.12.2014, the complainant received a telephonic call that his daughter has since been put to death by asphyxia, leading to the registration of the present case.

Learned counsel for the petitioner *inter alia* contends that the petitioner is in custody since 07.12.2014 and that in view of the summoning of additional accused, the trial is likely to be protracted.

The learned State counsel though does not displace the facts and the period of detention of the petitioner but has strongly opposed the grant of bail on the grounds that if allowed bail, the petitioner might stifle the trial.

Be so as it may, admittedly, the petitioner is in custody for more than 05 years and 08 months. As is there, conceded to at the bar by both sides, the trial with the summoning of additional accused is to begin afresh and, therefore, there is every likelihood that it could be protracted together with the present pandemic situation.

In light of the same, without feeling necessity to further advert on to the merits of the case and the fact that trial is not likely to be concluded in the near future, impels this Court to allow the present petition.

In light of the same, this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in

the present case. Culpability, if any, shall be determined at the time of trial. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands disposed off accordingly.

21.08.2020

Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No