

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13604-2020
Decided on: 30.07.2020

Amandeep Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. M.S. Basra, Advocate
for the petitioner(s).

Ms. Monica Jalota, DAG, Punjab
assisted by ASI Jaswant Singh.

MANJARI NEHRU KAUL, J.

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

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 49, dated 10.04.2019, under Sections 304-B, 34 IPC, registered at P.S. City Gurdaspur, District Gurdaspur.

Learned counsel for the petitioner *inter alia* contends that the petitioner, who is the husband of the deceased has been falsely implicated in the FIR in question. The marriage between the deceased and the petitioner was solemnized in the year 2015 and the occurrence in question took place after four years of their marriage. In fact, prior to the occurrence in question, no complaint was ever lodged against the petitioner by the complainant party of harassing the deceased on account of insufficient dowry. Admittedly, even as per the deposition of the complainant before the trial Court,, the petitioner had been residing in Bahrain while the deceased was residing at her

matrimonial home in India. Hence, question of any harassment, much less, for dowry demand on the part of the petitioner could not have arisen.

Learned counsel for the petitioner further contends that the petitioner has been in custody since 23rd May, 2019 and 06 out of the 22 prosecution witnesses cited, have been examined so far. A prayer has therefore been made for granting the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future.

Per contra, learned State counsel on instructions from ASI Jaswant Singh, has apprised this Court that material witnesses including the complainant and the Doctor, who conducted the post mortem on the deceased have since been examined before the trial Court. The trial has not been able to proceed further on account of the outbreak of pandemic COVID-19.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner is in custody since 23rd May, 2019. I deem it a fit case for grant of the concession of regular bail, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 30, 2020

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No