

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-15931 of 2020

Date of Decision : 23.06.2020

Arvinder SinghPetitioner

Versus

State of Punjab..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. Amandeep Singh, Advocate
for the petitioner.

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MANJARI NEHRU KAUL, J. (Oral)

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

The instant petition has been filed under Section 439 Cr.P.C.
for grant of regular bail in case FIR No. 368 dated 15.09.2017 under
Sections 306, 304-B, 302 IPC registered at Police Station Sadar Jagraon,
District Ludhiana.

The learned counsel for the petitioner contends that the
petitioner has been falsely implicated in the FIR in question. In fact, the
deceased, who was the wife of the petitioner, had been suffering from some
medical ailments including depression which led to her unfortunate death on
04.03.2017. Thereafter, due to the emotions running high, the FIR in
question was registered against the petitioner by the complainant party.
However, during the trial none of the material witnesses including the
complainant i.e. the mother of the deceased as well as the father of the
deceased supported the case of the prosecution and were declared hostile.

The learned counsel has contended that the petitioner has been in custody since 15.03.2018 and the trial is unlikely to conclude any time in the near future.

Notice of motion.

On the asking of the court, Ms. Samina Dhir, DAG, Punjab, accepts notice on behalf of the State. She has opposed the submissions made by the learned counsel for the petitioner by contending that the deceased died an unnatural death in her matrimonial home. However, she has not been able to controvert the fact that the material witnesses including the complainant did not support the case of the prosecution and were declared hostile.

Heard.

In view of the submissions made by the learned counsel and keeping in view that the petitioner has been in custody since 15.03.2018, no useful purpose would be served by keeping the petitioner behind bars as the trial is unlikely to conclude in the near future. I deem it a fit case to grant the concession of regular bail. Thus, without expressing any opinion on the merits of the case, the petition is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

23.06.2020
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No