

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

202

CRM-M-16481-2020 (O&M)

Date of decision : 24.07.2020

Sushil Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. M.S. Kathuria, Advocate,
for the petitioner.

Mr. S.P.S. Tinna, Addl. A.G., Punjab.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking bail in FIR No. 234 dated 20.11.2018 registered under Sections 304-B, 120-B read with Section 34 of Indian Penal Code at Police Station Daba, District Ludhiana.

As per case of the prosecution, on 18.11.2018 complainant Amarnath Kumar Singh received a phone call from police that his sister died due to consumption of some poisonous substance.

Learned counsel for the petitioner states that deceased Suman Kumari i.e. wife of the petitioner was under stress as they were unable to have child despite long years of marriage. The petitioner was not present at

home at the time of her death. He is in custody since 21.11.2018 and conclusion of trial will take considerably long time.

On the other hand, learned State counsel, on instructions from ASI Paramjit Singh submits that 10 out of 11 prosecution witnesses have been examined and only one witness remains to be examined.

Heard.

Considering the facts that the trial of the case is at its fag end as only one witness is left to be examined, therefore, the Court is not inclined to grant bail to the petitioner at this stage.

Dismissed.

However, if the trial is not concluded within a period of six weeks from today, the petitioner would be at liberty to approach this Court either by way of revival of this petition or to file afresh.

24.07.2020
Jyoti-II

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No