

CRM-M-20911-2020 (O&M)

Date of decision: 04.08.2020

Arun Kumar

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. L.S. Lakhanpal, Advocate
for the applicant/petitioner.Mr. Amit Mehta, Senior DAG, 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.

CRM-18133-2020

In view of the averments made in the application and in
the interest of justice, the same stands allowed subject to all just
exceptions.

CRM stands disposed off.

However, subsequently, the applicant/petitioner shall be
under obligation to fulfill these obligations in due course.

CRM-M-20911-2020

The petitioner-Arun Kumar has come up in this first

regular bail application under Section 439 Cr.P.C. in a case bearing FIR No.09 dated 10.02.2016 under Section 304-B of the Indian Penal Code (Section 302/34 of IPC added later on) registered Police Station Nurmahal, District Jalandhar, earlier two bail applications having been dismissed by this Court vide orders dated 06.09.2018 and 25.11.2019.

The allegations against the petitioner has come about from Asha Rani, widowed mother of deceased-Jyoti. In her allegations, the complainant claimed that her daughter was married to the accused on 14.10.2015 where she had given sufficient dowry articles. However, the in-laws of the deceased were not happy and had been raising more demands. About one week prior to this occurrence, the petitioner left the deceased at the house of the complainant where the deceased has disclosed how she was being harassed by her in-laws including the petitioner-husband. On 09.02.2016, when the family of the deceased took the deceased to the house of her in-laws and met the family of the accused including the petitioner, who gave an assurance that the girl would not face any harassment, it is that on the same very date, the deceased committed suicide by means of hanging.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been in custody since more than 4 ½ years and that there is no specific allegations against the petitioner. It is further contended that co-accused of the petitioner-Sita Devi has been

allowed bail by this Court vide order dated 11.07.2018 and that the trial is not likely to be concluded in the near future.

The learned State counsel does not displace the facts but has stoutly opposed the grant of bail on the grounds of heinousness of the offences.

Going through the submissions, the petitioner admittedly is behind the bars for more than 4 ½ years. Co-accused of the petitioner has been allowed bail by this Court. On account of pandemic COVID-19 situation, the trial is not likely to be concluded in the near future, thus, this Court deems it a fit case to allow the present petition without feeling the necessity to advert on to the merits. 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.

04.08.2020

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No