

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

(Heard through VC)

CRM-M-33980 of 2019 (O&M)
Date of Decision: September 08, 2020

Surjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kamal Narula, Advocate
for the petitioner.

Ms. Monika Jalota, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.187 dated 01.10.2017, under Section 302/34 of Indian Penal Code, registered at Police Station Sadar Jalalabad, District Fazilka.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 01.10.2017. It is submitted that the petitioner has been falsely implicated in the present case on the basis of circumstantial evidence and there is no direct evidence against him. It is contended that the petitioner has been implicated for the murder of his wife under the said FIR, while contending his marriage was for 15-16 years with the deceased and during that period, there was no

complaint ever made. Apart from that, he argues that challan already stands presented and charges have been framed in the matter, however, the trial is not going on due to Covid-19 pandemic, as the courts are not functioning at their full strength, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the allegations against the petitioner are serious in nature. She further states that out of total 21 witnesses, 04 witnesses have already been examined.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time to conclude and in view of the facts that the petitioner herein has been in custody since 01.10.2017 and that due to Covid-19 pandemic, the courts are not working at their full strength, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

September 08, 2020

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No