

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-44316-2019

Date of Decision : 08.05.2020

Subhash SinghPetitioners

Versus

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. Jagjit Gill, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

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MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 339 dated 20.06.2019 initially registered under Sections 306, 34 IPC and under Section 306 IPC as per the report under Section 173 Cr.P.C. at Police Station City Sirsa, District Sirsa.

The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case in hand. The petitioner, who is the husband of the deceased had been married for almost 15 years and no complaint whatsoever was ever lodged against the petitioner by the complainant prior to the occurrence in hand. It has further been contended that all the material witnesses including the complainant did not support the case of the prosecution and were declared hostile before the trial Court.

The learned State counsel on the other hand has vehemently opposed the grant of concession of regular bail to the petitioner by contending that there are serious and specific allegations against the

petitioner, who is none other than the husband of the deceased. He,

however, has not been able to controvert the submissions made by learned counsel for the petitioner that the complainant and other material witnesses did not support the case of the prosecution during trial and were declared hostile by the trial court.

Heard.

Having considered the submissions made by either side, the petitioner has been behind bars admittedly since 12.07.2019. Hence, no useful purpose would be served by keeping the petitioner behind bars as the trial is unlikely to conclude in the near future. 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 any observation made herein shall not be construed as an expression of opinion on the merits of the case.

08.05.2020

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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No