

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

CRM-M-494-2020
Decided on : 14.01.2020

Balvir Singh @ Beeru

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Manpreet Ghuman, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.183 dated 16.10.2018 registered under Sections 498-A, 376, 506 and 120-B IPC (Section 376-D IPC was added later on) at Police Station Nihal Singh Wala, District Moga.

Learned counsel for the petitioner contends that a perusal of the FIR clearly reveals that the instant FIR is the result of matrimonial dispute between the complainant and her-in-laws and the petitioner-husband has been implicated only with the motive to harass the in-laws. It has further been contended that the prosecutrix during her evidence before the trial court resiled from her statement and did not support the case of the prosecution. Hence, no useful purpose would be served by keeping the petitioner behind bars. The petitioner has been in custody for more than two years.

On the other hand, learned State counsel has opposed the bail application and submitted that no doubt that the prosecutrix did not support

the case of the prosecution and was declared hostile but there are serious and grave allegations against the petitioner, who is none other than the husband of the complainant.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is behind bars since 16.10.2018 and the trial is unlikely to be concluded in the near future, no useful purpose would be served by keeping the petitioner in custody, specifically when the prosecutrix has already been examined. In the circumstances, present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

14.01.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No