

232.

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

CRM-M-55515-2019

Date of decision: 10.01.2020

AJIT SINGH

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Lokesh Chander Aggarwal, Advocate,
for the petitioner.

Mrs. Ruchika Sabherwal, AAG, Punjab.

Mr. R.S. Bajaj, Advocate, for the complainant.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.92 dated 10.08.2018 registered under Sections 306/34 of IPC at Police Station Sadar, Kapurthala.

As per the FIR, the deceased-Manjit Kaur @ Maani @ Kaajal, who was married with Kuldeep Singh, who is the son of the petitioner, about 9-10 years back, has died on 09.08.2019.

Learned counsel for the petitioner has argued that apart from the fact that the other co-accused including the husband of the deceased is on bail, the case of the petitioner deserves to be considered for admission on bail. He is a disabled person and is in custody since 24.09.2019. The trial in the case is not likely to be concluded in the near future, as no witness has been examined so far.

Learned counsel for the complainant has opposed the bail application on the ground that it is the petitioner who used to incite Kuldeep

Singh to either kill his wife-Manjit Kaur or to take divorce from her.

Learned State counsel does not dispute the custody of the petitioner.

I have heard learned counsel for the parties.

The marriage of the deceased was solemnized with Kuldeep Singh about 10 years back. Petitioner is in custody since 24.09.2019. The co-accused, who is the husband of the petitioner, is already on bail. The culpability of the petitioner is yet to be established during trial, of course by leading evidence by the prosecution. No witness has been examined so far and in this manner, trial in the case will take sufficient long time. Accordingly, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

10.01.2020
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No