

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

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**CRM-M-24110-2021
Decided on : 02.12.2021**

Ashok Kumar

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Varinder Basa, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Subhash Chander.

MANJARI NEHRU KAUL, J. (Oral)

This order shall dispose of CRM-M-24110-2021 and CRM-M-25258-2021, as the issue involved in both the cases is similar. However, the facts are being extracted from CRM-M-24110-2021.

The instant petition has been filed under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No. 27, dated 28.02.2021 (Annexure P-1), under Section 306 of IPC, registered at Police Station Mukerian, District Hoshiarpur, Punjab.

While inviting the attention of this Court to the allegations levelled in the FIR in question, learned counsel for the petitioner submits that it is evident that totally vague allegations have been levelled against the petitioners, who are father-in-law and brother-in-law of the deceased, of subjecting her to harassment. Learned counsel further submits that there is not even any whisper as to in what manner and as to why the deceased was subjected to the alleged harassment. Further submits that the petitioners have been in custody since 01st March, 2021 and the charges stand framed.

It has also been submitted that the similarly situated co-accused Raj Rani

(mother-in-law of the deceased) already stands released on bail by this Court vide order dated 07.06.2021. A prayer has, therefore, been made that the petitioners be extended the concession of bail.

Per contra, learned State counsel while opposing the the prayer and submissions made by learned counsel for the petitioners, on instructions from ASI Subhash Chander, has submitted that the investigation stands completed and the charges have been framed. He has further submitted that 14 prosecution witnesses have been cited in the challan presented by the Investigating Agency.

I have heard learned counsel for the parties and perused the material on record.

In the facts and circumstances of the case as enumerated hereinabove, there is no likelihood of the trial concluding anytime in the near future. Investigation is complete and charges stand framed. Thus, the further incarceration of the petitioners would not serve any purpose. The petition as such is allowed. The petitioners be admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

December 02, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*