

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

CRM-M No.38048 of 2021

Date of Decision:20.09.2021

(Heard through VC)

Gursewak Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. R.K. Samyal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a second petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.81 dated 09.06.2020 under Sections 304-B, 34 IPC registered at Police Station Kulgarhi, District Ferozepur.

Counsel for the petitioner would contend false implication as in fact there was no complaint made before the Panchayat about any harassment on account of demand of dowry. However, it is the family of the complainant who had borrowed money from the petitioner herein. It is argued that out of 18 witnesses cited, only 2 witnesses have been examined and therefore, the trial is likely to take some time to conclude, thus, prays for concession of bail to the petitioner.

Whereas, counsel for the respondent-State would oppose grant of regular bail to the petitioner by contending that on the date of the death,

the deceased had made a phone call to her brother wherein she had stated that she was being harassed by the petitioner.

Faced with this, counsel for the petitioner would submit that the postmortem report is silent to the effect of any injury on the body of the deceased.

I have heard counsel for the parties and in view of the fact that the matter stands investigated and challan has been presented and the fact that trial is likely to take some time to conclude as out of 18 witnesses cited, only 2 have been examined, this Court deems it appropriate to allow regular bail to the petitioner. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal/surety bond of Rs.2 lakh each to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

September 20, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No