

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

217)

CRM-M-37083 of 2020 (O&M)
Date of Decision: 26.02.2021

Gurdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Ms. Rosi, Advocate, for the petitioner.
Mr. Sidakmeet Singh Sandhu, AAG, Punjab.
Mr. Manish Kumar Singla, Advocate, for the complainant.

AMOL RATTAN SINGH, J. (Oral)

By this petition, filed under the provisions of Section 439 of the Cr.P.C, the petitioner seeks the concession of 'regular bail', upon FIR no.97, dated 01.11.2019, having been registered at Police Station Badali Ala Singh, District Fatehgarh Sahib, alleging therein the commission of offences punishable under the provisions of Sections 304-B/498A/34 of the IPC.

In fact this is the second petition filed seeking that the petitioner be admitted to bail, the first one filed by him, i.e. CRM-M-13300 of 2020, having been dismissed by this court (this very Bench) on 10.06.2020, with, at that stage, the complainant in the FIR, i.e. the father of the deceased woman, still to testify before the trial court.

Learned counsel for the petitioner, other than raising arguments on the merits of the case, submits that he has now been in custody for one

year and three months, with the trial nowhere near conclusion as yet, but with the complainants' testimony having been recorded.

In fact on 13.01.2021 she had sought time to refer to the testimony of the complainant before the trial court, which she has done today, pointing to an alleged discrepancy in his statement on payment of money to his daughter at the time of his retirement.

However, without making any comment at all on the merits of the case, but with the complainant having testified and only 2 prosecution witnesses out of 18 having been examined so far, the present petition is allowed, with the petitioner ordered to be admitted to bail, upon his furnishing adequate surety and bail bonds to the satisfaction of the learned trial court/CJM/Duty Magistrate concerned.

It is of course to be noticed here that learned counsel for the complainant has opposed the petitioner being admitted to bail.

26.02.2021
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(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No