

211

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

\*\*\*\*

CRM-M-39632-2020

Date of Decision: 19.03.2021

\*\*\*\*

Dalip Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr. Charanpreet Singh, Advocate,  
for the petitioner.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

\*\*\*\*

**SUDIP AHLUWALIA, J. (ORAL)**

This is a petition filed under Section 439 of the Code of Criminal Procedure by the petitioner, seeking regular bail in case FIR No.57, dated 05.05.2019, under Sections 302/201/120-B of the IPC, registered at Police Station Basti Jodhewal, District Ludhiana.

2. Seen Custody Certificate of the petitioner, from which it transpires that the petitioner has undergone detention in the present case for one year, ten months and six days by now. After completion of investigation, Challan against him has already been submitted.

3. On 15.12.2020, this Court had directed Ld. State Counsel to place on record the entire material collected during investigation to show how the petitioner was involved in the murder of his wife. Thereafter, time was sought on behalf of Ld. State Counsel to show the relevant material.

4. Today, Ld. State Counsel submits that apart from the telephonic

communications between the petitioner's family and the complainant, there is no other tangible material to show the petitioner's involvement in the murder of his wife. Be that as it may, the fact remains that no Post-mortem on the body of the deceased was admittedly conducted, and, as submitted by Ld. State Counsel, on instructions from ASI Roop Singh, no neighbour of the petitioner had come forward to support any claims of marital discord or disputes or any other similar disturbances in the petitioner's family, nor any confessional statement of either the petitioner or his family members could be extracted, and also there is not even any other forensic evidence to show that death of the victim was unnatural.

5. In such circumstances, further detention of the petitioner at this stage for an indefinite period is not called for.

6. In view of the above and without making any further comments on the merits of the case, the petitioner's prayer for regular bail is allowed and he is ordered to be released on bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

7. Disposed off.

**19.03.2021***Apurva***(SUDIP AHLUWALIA)  
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No