

..... Petitioner

..... Respondent

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand as perusal of the FIR reveals that no overt act has been attributed to him in the occurrence in question and 'mens rea' on his part to commit the offence in question is clearly amiss. He submits that the marriage of the petitioner with the deceased was solemnized 15 years prior to the occurrence in question and they were blessed with two children. He further submits that the petitioner has been in custody since 06.07.2021 and since investigation has been completed, his custodial interrogation would no longer be required. It has also been submitted that there is no likelihood of the trial concluding in the near future as prosecution evidence has not yet commenced, hence, he be

extended the concession of bail.

Per contra, learned State counsel while opposing the prayer and submissions made by counsel opposite submits that there are serious allegations levelled against the petitioner of abetting the suicide of his wife. He on instructions from SI Jaswant submits that the prosecution evidence is due to commence from 02.03.2022.

Heard learned counsel and perused the paper book.

In the facts and circumstances, as enumerated hereinabove and since the petitioner has been in custody since 06.07.2021 and trial will take considerable time to conclude coupled with the fact that the petitioner is not involved in any other criminal case, the present petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. 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.

08.02.2022
sonia

(MANJARI NEHRU KAUL)
JUDGE

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