

228 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: 02.08.2022
CRM-M-9503-2022

LUCKY ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CRM-M-26468-2022

LAJPAT RAI ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. J.S.Dhaliwal, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. J.S.Khira, Advocate for
Mr. L.S.Sidhu, Advocate
for the complainant.

VIVEK PURI, J.(ORAL)

The petitioners are seeking regular bail in case bearing FIR
No.186 dated 30.11.2021 under Sections 304-B and 34 IPC registered at
Police Station City-1, Mansa.

Custody certificates have been placed on record.

Briefly, as per the allegations in the FIR, the marriage of Rishu
Gupta, the deceased was solemnized with Sonu Kumar on 24.05.2021.
There are allegations with regard to demand of Rs.2 lakhs and maltreatment
meted out to the deceased on that score. The deceased had died on account
of drowning and dead body was recovered from a canal.

Learned counsel for the petitioners contend that Lajpat Rai-
petitioner is father-in-law and Lucky-petitioner is brother-in-law of the
deceased. Substantially the same allegations have been levelled against

Pushpa Devi, the mother-in-law of the deceased and she has been granted bail by the Coordinate Bench of this Court in terms of the order dated 08.06.2020 passed in CRM-M-25235-2022. The petitioners are in custody since 02.12.2021, the investigation of the case is complete and challan has been presented. Furthermore, out of 26, no witness has been examined so far.

Learned State counsel has opposed the bail application on the score that the death has occurred within a period of seven months from the date of marriage and the deceased was running pregnancy.

It may be mentioned here that the similarly placed co-accused, namely, Pushpa Devi, has been granted the concession of regular bail. The case of the petitioners, who are the father-in-law and brother-in-law of the deceased, is at par with her. Moreover, the petitioners are in custody for a period of 8 months and 2 days. The investigation of the case is complete and no witness has been examined till date. The conclusion of trial is likely to take some time. There is no apprehension that the petitioners can win over the witnesses.

In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioners. Accordingly, without making any observation on the merits of the case, the present petitions are allowed and petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Illaq Magistrate/Duty Magistrate.

02.08.2022
smriti

(VIVEK PURI)
JUDGE

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