

**202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-27058-2021

Date of decision: 07.01.2022

Sukhveer Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Mandeep Singh Sachdev, Advocate
for the petitioner.

Mr. Kanishth Ganeriwala, AAG, Punjab
for the respondent-State.

FATEH DEEP SINGH, J. (ORAL)

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner-Sukhveer Singh has come up in this second regular bail application under Section 439 Cr.P.C. (first one having been declined by this Court vide order dated 15.11.2019) filed in a case bearing FIR No.19 dated 14.02.2019 under Section 304-B of the Indian Penal Code registered at Police Station Shahkot, District Jalandhar Rural.

The allegations against the petitioner have been levelled by complainant-Nirmal Singh alleging that daughter of his younger sister, Manpreet Kaur, now deceased, then aged around 30 years, was married to the petitioner on 10.01.2016 and out of which, the couple did not bear any child. The allegations further hover around the averments that the couple who earlier were residing in Italy, had come to India on 06.01.2019 to attend the marriage of Harpreet Kaur, his relation and it is during that time, the couple had an altercation over some money and on 12.02.2019, around evening time, the complainant received a telephonic call that Manpreet Kaur suffered a heart attack and has passed away. On reaching the complainant suspected the role of the petitioner in the death of the deceased leading to the registration of the present petition.

Learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars since 15.02.2019 and has already undergone almost more than half of the prescribed imprisonment for such offences and in view of the COVID-19 pandemic, there is every likelihood that the trial is not going to accomplished as in spite of the charges having been framed on 03.02.2021 not even a single witness has been examined.

The learned State counsel has strongly opposed the bail on the grounds that there are serious allegations against the petitioner and if allowed bail, he might influence the trial.

Appreciating the submissions, admittedly, the petitioner has already undergone almost three years of the prescribed sentence. Keeping in view the present raging pandemic of COVID-19, there is every likelihood that trial is not going to be accomplished in the near future and, therefore, with the intent to decongest the over crowded jails as omicron virus is spreading its tentacles, necessitates sympathetic approach. This Court deems it expedient to allow the present petition as the trial is not likely to be concluded in the near future. Any observations made herein shall not effect the merits of the present case.

Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

20.05.2021

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No