

CRM-M-42931-2020

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

211

CRM-M-42931-2020

Date of Decision: 27.04.2022

Avtar Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Mr. R.S. Khaira, AAG, Punjab.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case FIR No.324 dated 18.09.2020 under Sections 307 and 34 IPC registered at Police Station Jandiala, Amritsar Rural, District Amritsar.

Petitioner is the husband of injured -Sukhraj Kaur. The FIR was lodged on the complaint of Gagandeep Kaur. She is stated that her elder sister-in-law Sukhraj Kaur is married to the petitioner for the last 14 years. They have daughter Manroop Kaur from the marriage, who is aged about 13 years. The petitioner has contracted a second marriage. There is litigation between the petitioner and his wife Sukhraj Kaur. It is alleged that on 17.09.2020 Sukhraj Kaur alongwith the complainant were going on Aactiva Scooty towards village Akalgarh Dhapiyan. When they were coming back at about 6:30 p.m. the petitioner and his mother came in front of them. They were on a scooter. The petitioner intentionally hit his scooter against the

CRM-M-42931-2020

Activa driven by the complainant causing the complainant and her sister-in-law to fall down. Thereafter, the mother of the petitioner raised lalkara that Sukhraj Kaur be taught a lesson. The petitioner inflicted a gandasi blow on the head of Sukhraj Kaur with an intention to kill her. Swaran Kaur (mother of the petitioner) caught hold of Sukhraj Kaur from the neck and tried to strangle her with a dupatta. Meanwhile, on alarm being raised the accused fled away.

As per the MLR, Sukhraj Kaur has sustained 7 injuries, four of them are on head out of which two have been opined to be dangerous to life. The investigation is complete. Challan has already been filed. However, the prosecution has not made any headway. The petitioner is in custody since 20.09.2020 i.e. almost about 1 year and 7 months.

In view of the above and the fact that the trial is unlikely to conclude in near future, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner-Avtar Singh be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/ Duty Magistrate concerned.

[HARINDER SINGH SIDHU]
JUDGE

April 27, 2022
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no