

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-16733-2023

Date of Decision: May 18, 2023

NAND RAM ALIAS BHOLA Petitioner
Versus
STATE OF PUNJAB Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. B.S. Seemar, Advocate for the petitioner.
Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. Status report has been filed by the respondent-State in Court today, the same is taken on record and copy thereof has been supplied to counsel for the petitioner.
2. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of bail pending trial in case FIR No.199 dated 19.07.2020 under Sections 302 and 34 IPC at P.S. Lambi, District Sri Muktsar Sahib.
3. As per allegations levelled in FIR, the petitioner along with his sons Prem Kumar and Vijay Sagar as well as his wife forcibly gave some poisonous substance to the deceased Beant Kaur who happened to be the wife of one of the sons of petitioner namely Prem Kumar.
4. Learned counsel for petitioner submits that petitioner has already suffered incarceration for a period of more than two years and nine months. He further submits that in the present case the investigation has been concluded with the filing of challan followed by framing of charges and only two witnesses have been examined out of

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21 total cited by the prosecution and as the trial is likely to take some time, thus, the petitioner deserves the concession of regular bail.

5. On the other hand, learned State counsel vehemently opposes the prayer made while submitting that there are serious allegations against the petitioner.

6. I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made on behalf of the petitioner.

7. Considering the fact that, investigation has been concluded with the filing of challan followed by framing of charge and the petitioner has already suffered incarceration for a period of two years and nine months, besides the trial is likely to take some time as out of total 21 witnesses only two have been examined and petitioner happens to be a senior citizen around 70 years of age, I do not find any justified reason to extend the incarceration of the petitioner.

8. In view of the above, without commenting upon merits of the present petition, the same is allowed. Petitioner is ordered to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Ilalaqa Magistrate/Duty Magistrate.

18.05.2023

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(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

