

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

221

CRM-M-38676 of 2023
Date of Decision:16.08.2023

Raja Sekhon

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amandeep Singh, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.189 dated 20.07.2021, under Section 302 IPC, registered at Police Station Salem Tabri, District Ludhiana.

2. It is submitted by learned counsel for the petitioner that the petitioner is in custody for more than two years and ten prosecution witnesses including all the material witnesses have been examined. He submitted that it is a case where as per the allegations, the petitioner had killed his wife, but in fact it was a case of suicide and it is evident from the perusal of the FIR itself that the petitioner was trying to rescue his wife but she herself committed suicide. He further submitted that it is yet to be ascertained as to whehter it

was a murder case or suicide case. He submitted that be that as it may, the petitioner is not a habitual offender and he is not involved in any other case and has clean antecedents. He submitted that considering the long custody of the petitioner, which is more than two years, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Ramdeep Partap Singh, Sr. DAG, Punjab has stated that it is correct that the petitioner has already faced incarceration for 2 years and 22 days. He submitted that it is correct that the petitioner is not involved in any other case and all the material prosecution witnesses stand examined.

4. I have heard learned counsel for the parties.

5. It is a case where the petitioner has already faced incarceration for about 2 years and 22 days and 10 prosecution witnesses have already been examined as per learned State counsel. The petitioner is not involved in any other case and has clean antecedents. Furthermore, it is not the case of learned State counsel that in case the petitioner is released on bail, then he may abscond from justice or may repeat the offence.

6. In view of the aforesaid position and the custody of the petitioner, this Court deems it fit and proper to grant bail to the petitioner. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the

purpose of decision of the present petition.

(JASGURPREET SINGH PURI)
JUDGE

August 16, 2023
dinesh

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