

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18962-2024
Date of Decision:24.04.2024

Tirath Singh ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Ms. Sharmila Sharma, Advocate
for the petitioner.

Mr. Deepender Singh,Addl. A.G, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr. PC with a prayer to grant regular bail to him in case FIR No.28 dated 17.03.2022 under Sections 302, 34 of IPC(challan presented under Sections 302,201,34 of IPC), registered at Police Station C-Division, District Police Commissionerate, Amritsar.
2. The FIR in the present case was got registered by Rekha, widow of late Ashok Kumar. As per her, her youngest daughter namely Priya @ Khushi was aged about 30 years, who was married to Ajay Singh @ Ajay son of Satnam Singh, co-accused for the last about five years. Her daughter, was also having one daughter namely, Pari, aged about four years. Her husband Ajay Singh @ Ajay was a drug addict and used to beat her up. Sometimes ago, she informed the complainant that all her earnings were spent by her husband Ajay Singh @ Ajay on intoxicants. Priya @ Khushi had given a sum of Rs.4 /5 lacs or her jewellery to Balwant Singh @ Kaka, her uncle-in-law and now he

was not returning the same. Due to this, the husband of her daughter, Ajay Singh @ Ajay and her father-in-law Satnam Singh used to quarrel with her and also used to beat her up. On 17.03.2022, she got the information that her daughter Priya @ Khushi had died and the dead body was lying in front of her in-laws house on bed. On this information, she reached there and alleged that her daughter had been killed by her husband Ajay Singh @ Ajay, her father in law Satnam Singh, her mother-in-law Jaspal Kaur and uncle-in-law Balwant Singh @ Kaka and Tirath Singh by strangulating her.

3. Learned counsel for the petitioner contends that the petitioner is the son of maternal aunt of Ajay Singh, husband of the deceased and had no concern with the matrimonial life of the main accused and Priya @Khushi. She further contends that Ajay Singh @ Ajay and Priya @ Khushi were married for the last five years and there was no complaint from any corner. She has placed reliance on the orders (Annexures P-4 and P-5), whereby similarly placed co-accused namely Jaspal Kaur and Satnam Singh @ Mundi have already been granted the concession of bail by this Court. Learned counsel further contends that the petitioner was arrested in the present case on 18.03.2022 and is in custody for the last 02 years and 01 month. She further contends that the petitioner has no criminal antecedents and the trial is progressing at snail's pace and further custody of the petitioner will serve no meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the

record carefully.

6. The petitioner was arrested in the present case on 18.03.2022 and is in custody for the last 02 years and 01 month. Similarly placed co-accused namely Jaspal Kaur and Satnam Singh @ Mundi have already been granted the concession of bail by this Court vide Annexures P-4 and P-5 respectively. Even the trial has not progressed much in the present case and further custody of the petitioner will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

24.04.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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