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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(335) CRM-M-36128-2024 (O&M)
Date of Decision: 26.09.2024

Sharanjeet Singh @ Sharanjit SinghPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Akshay Chadha, Advocate, for the petitioner.

Mr. Athar Ahmad, DAG, Punjab.

HARKESH MANUJA, J.(ORAL)

[1] By way of present second petition filed under Section 439 Cr.P.C, prayer has been made for grant of regular bail in case FIR No.2 dated 13.01.2023 (Annexure P-1) registered under Sections 302 and 34 IPC at Police Station Sadar Raikot, District Ludhiana, wherein the petitioner has been implicated for having murdered his own wife namely Jaswinder Kaur.

[2] On the other hand, the prayer made herein has vehemently opposed at the instance of learned State counsel while submitting that some poisonous substance was found in the body of the deceased and thus, the offence was *prima facie* established.

[4] 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.

[5] In the present case, investigation stands concluded with the filing of *challan* followed by framing of charges. The petitioner is in custody for the past almost 1 year and 7 months whereas, none of the material witnesses including the complainant who happened to be mother of the deceased has



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even supported the prosecution version. Moreover, it has come in the cross-examination of complainant that no complaint was ever made at the instance of deceased or the complainant herein about any kind of cruelty been extended by the petitioner upon his wife. Besides it, in the present case, even as per postmortem report, there are no marks of external injuries upon the person of deceased. The trial is likely to take some time.

[6] Considering the aforesaid facts, this Court does not find justification to extend the incarceration of the petitioner any further.

[7] In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaqa Magistrate/Duty Magistrate concerned.

[8] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

(HARKESH MANUJA)
JUDGE

26.09.2024
anil

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