

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42063-2022

Date of Decision: January 05, 2024

Suresh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: - Mr. Nikhil Batta, Advocate for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

Mr. Rajveer Singh Brar, Advocate for
Mr. Vikram Anand, Advocate for the complainant.

DEEPAK GUPTA, J.

By way of this petition filed under Section 439 Cr.P.C., petitioner prays for his release on regular bail in case FIR No.122 dated 20.05.2019, under Sections 302 of IPC, registered at Police Station Civil Lines, Patiala, District Patiala.

2. Petitioner is the husband of deceased Veena Kumari. FIR was lodged on the statement of Vishal Kamboj, who is none other than the son of petitioner and the deceased. As per the prosecution allegations, on 20.05.2019 petitioner committed murder of his wife Veena Kumari by inflicting injuries with knife. The crime was witnessed by their son Vishal Kamboj, who lodged the FIR. Complainant also disclosed that reasons behind the grudge, was that the petitioner used to suspect the character of deceased Veena Kumari.

3. It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated; that complainant is a police official, who even did not try to save his mother and so his statement and that of his companion PW2 Parminder Singh, is not reliable. Learned counsel for the petitioner also contends that the petitioner is in custody for the last more than 04 years; that the trial may take time to conclude, so he be allowed regular bail.

4. Strongly opposing the bail petition, learned State counsel along with counsel for the complainant contends that the case is dependent upon the direct evidence. Complainant Vishal Kamboj as well as another eye witness Parminder Singh have supported the prosecution version during trial. Learned State counsel further informs that out of 19 witnesses cited by the prosecution, only 04 are left to be examined and thus the trial is at the fag end. By pointing out towards the gravity of the offence, prayer is made for rejecting the petition.

5. Heard.

6. Petitioner is the sole accused in this case. The case is dependent upon the direct evidence. The eye witnesses have supported the prosecution version, though their testimony is to be appreciated at appropriate stage by the Trial Court concerned.

7. There is direct allegations to the effect that petitioner gave knife blows in the abdomen of deceased Veena Kumari, resulting in her death.

8. Having regard to the gravity of the offence and the fact that trial is at the fag end, this Court is of the view that the petitioner does not deserve to give the benefit of regular bail, though he is in custody for the last more than 04 years and 07 months, as per custody certificate.

As such, this bail petition is hereby dismissed.

However, the Trial Court is directed to make every possible endeavour to expedite the trial.

January 05, 2024

Sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No