
Harbans Singh Vs State of Punjab

Criminal Miscellaneous No. 4739-M of 2007

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: March 1, 2007

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) â€” Section 319, 439#Penal Code, 1860 (IPC) â€”
Section 304B, 34

Citation: (2007) 3 RCR(Criminal) 511

Hon'ble Judges: Satish Kumar Mittal, J

Bench: Single Bench

Advocate: Surinder Garg, for the Appellant; N.S. Gill, AAG, Punjab, for the Respondent

Judgement

Satish Kumar Mittal, J.

Petitioner Harbans Singh has filed this petition u/s 439 of the Code of Criminal Procedure for the grant of regular

bail in case FIR No. 191 dated 18.7.2006 u/s 304-B/34 IPC, registered at Police Station City Faridkot, District Faridkot.

2. I have heard counsel for the parties and gone through the contents of the FIR as well as the order dated 20.11.2006, passed by Additional

Sessions Judge, Faridkot, whereby bail application of the Petitioner has been dismissed.

In this case, it has been alleged that just before the alleged occurrence, the Petitioner, who is father-in-law of the deceased and is in custody since

26.7.2006, along with other co-accused demanded an amount of Rs. 50,000/- for house repair.

3. Counsel for the Petitioner contends that initially, the husband of the deceased was not challaned, but subsequently, on the statement of the

complainant, he has also been summoned u/s 319 Code of Criminal Procedure to face trial. Counsel further contends that the husband has been

granted anticipatory bail and the wife of brother-in-law (Jethani) and mother-in-law of the deceased are in custody. He further contends that in

view of the fact that the husband has been summoned u/s 319 Cr.P.C., the two witnesses, already examined by the prosecution, have to be

examined again and the trial is not likely to conclude soon.

Keeping in view the aforesaid facts as well as the nature of allegations, without expressing any opinion on the merits of the case, I deem it

appropriate to grant regular bail to the Petitioner and he is, accordingly, ordered to be released on bail subject to his furnishing bail bonds to the

satisfaction of the trial court.