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**(2011) 04 P&H CK 0347**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** CRM-M No. 7844 of 2011 (O and M)

Amarjit Singh @ Amba

APPELLANT

Vs

State of Punjab

RESPONDENT

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**Date of Decision:** April 26, 2011

**Acts Referred:**

- Penal Code, 1860 (IPC) - Section 302, 306, 34

**Hon'ble Judges:** Alok Singh, J

**Bench:** Single Bench

**Final Decision:** Allowed

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### **Judgement**

Alok Singh, J.

This is an application seeking regular bail in case FIR No. 11 dated 17.2.2009 under Sections 302/306/34 IPC, P.S. Rangar Nangal, Police District Batala, District Gurdaspur.

2. Learned Counsel for the Petitioner has argued that marriage of the accused with the deceased took place about 14 years prior to the incident and Petitioner is having one 13 years old son and there was no reason for the Petitioner to murder his own wife. He further argued that although challan was submitted for an offence punishable u/s 306 IPC, however, the trial Court has framed charges u/s 302 IPC as well.

3. Learned Counsel for the Petitioner states that Petitioner is in jail for about two years and the trial is not likely to be concluded at the earliest. He has placed reliance on the judgment of Hon'ble the Apex Court in the matter of State of Kerala v. Raneef 2011 (1) RCR (Cri) 381.

4. Considering totality of the facts and circumstances of the case, without expressing any opinion on the merit of the case, present petition is allowed. The Petitioner is directed to be released on bail during the trial to the satisfaction of the trial Court.