

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 30th day of August, 2011

First Bail Application No. 703 of 2011

Criminal Side

Balvinder Singh

S/o Shri Bakhtavar Singh

R/o Kichha, Khamriya,

Thana Nanakmatta

District Udham Singh Nagar

.....Applicant (in Jail)

Versus

State of Uttarakhand

.....Opposite Party

Arising out of crime/ FIR No. 105 of 2011

Under Section: 306 IPC

Police Station Khatima

District Udham Singh Nagar

Hon'ble Prafulla C. Pant, J.

Mr. Harshpal Sekhon, Advocate, present for the applicant.

Mr. B.S. Parihar, Brief Holder, present for the State.

Applicant- Balvinder Singh who is in jail in connection with crime/FIR no. 105 of 2011, relating to offence punishable under section 306 I.P.C., Police Station Khatima, District Udham Singh Nagar, has sought his release on bail.

Heard learned counsel for the parties.

Applicant is husband of the deceased. The marriage between the two is 13 years old. Five children were said to have been born out of the wed-lock. It is pointed out on behalf of the applicant that the statement of Kavita (daughter of the deceased and the applicant) shows that on applicants' objection to his wife (deceased), who was talking with a third person on phone she got annoyed, and committed suicide by consuming poison.

In the above circumstances, without expressing any opinion as to final merits of the case, this Court is of the view that applicant deserves bail.

The bail application is allowed. Let the applicant Balvinder Singh be released on bail on executing personal bond, and furnishing two sureties each of the like amount to the satisfaction of Chief Judicial Magistrate, Udham Singh Nagar.

(Prafulla C. Pant, J.)

30.08.2011

Parul