

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

203

CRM-M No.19000 of 2015

Date of Decision: June 12, 2015

Brahmjit Singh @ Rana

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Satish Goel, Advocate
for the petitioner.

Mr. A.S. Klar, A.A.G., Punjab.

Mr. Neeraj Malhotra, Advocate
for respondent No.2.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the counsel for the petitioner that as per the order dated 03.09.2014 (Annexure P-2) passed by the Additional Sessions Judge, S.A.S. Nagar, Mohali, the allegations against the petitioner are that he had been putting pressure for payment on the deceased Ashok Kumar, which led to the depression of the deceased and finally unfortunate suicide. Counsel states that the petitioner is in custody since 17.02.2015 and his co-accused namely Kiranpal Singh has been released on anticipatory bail by this Court by order dated 21.02.2015 (Annexure P-7), which petition is pending for 28.07.2015. Counsel contends that the allegations, as made in the statement of the witnesses, which has been relied upon by the Court while summoning the petitioner under Section 319 Cr.P.C., are yet to be established. He states that keeping in view the custody period and also that trial is not likely to conclude early, the present application be allowed.

On the other hand, counsel for the State, on instructions from

ASI Harbhajan Singh, as also the counsel for the complainant have stated that it was because of the pressure put by the petitioner along with the co-accused that the deceased went into depression and was forced to commit suicide and they had abetted the said offence and, therefore, the concession of bail be not granted to him.

On considering the submissions made by the counsel for the parties, I accept the submissions as has been made by the counsel for the petitioner. Keeping in view the fact that the petitioner is in custody since 17.02.2015 and the co-accused namely Kiranpal Singh has been released on anticipatory bail and the trial is not likely to conclude at an early date, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, S.A.S. Nagar, Mohali.

June 12, 2015

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**