

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-8876 of 2015 (O&M)
Date of Decision: 21.5.2015

Jagmohan Singh @ Jagga

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. G.K. Mann, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

CRM No.15979 of 2015

Application is allowed as prayed for.

Statement of complainant recorded before the Trial Court as
PW-1, is taken on record at Annexure P-3.

Main Case

The instant petition has been filed under Section 439 Cr.P.C for
grant of regular bail to the petitioner in case F.I.R. No.88 dated 12.8.2014
under Sections 306, 34 I.P.C registered at Police Station, Ramdas, District
Amritsar Rural.

Learned counsel for the parties have been heard.

Deceased in the present case is Balwinder Kaur @ Veero i.e.
wife of the present petitioner and who is stated to have committed suicide
by consuming some poisonous substance on 12.8.2014. F.I.R was registered
on the statement Tarsem Singh i.e. father of deceased.

Allegations are with regard to Balwinder Kaur having
committed suicide on account of the present petitioner i.e. husband
maintaining illicit relations with one Bholi wife of Gola.

Petitioner has been in custody since 12.8.2014.

Learned State counsel upon instructions from ASI Naresh Kumar would apprise the Court that the trial in the present case has progressed to the extent of examining 7 prosecution witnesses out of a total of 22 having been cited. The trial, as such, would take some time to conclude.

It is apposite to notice that as per report of the Chemical Examiner placed on record at Annexure P-2, no poison is stated to have been detected in the viscera.

That apart, even if, the allegations as per complainant are taken to be true at their face value, the issue as to whether maintaining illicit relations by the husband and which led to the death of the deceased would amount to abetment to suicide and to attract offence under section 306 I.P.C, would be a moot question to be considered during the course of trial.

In the totality of circumstances noticed herein above, the petitioner is held entitled to the concession of bail. Petition, accordingly, is allowed.

Petitioner be enlarged on bail subject to satisfaction of C.J.M.,
Amritsar.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

21.05.2015
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