

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

**CRM-M No.10535 of 2015 (O&M)
Date of Decision: 26.05.2016**

Harjinder Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Himmat Singh Bajwa, Advocate for
Mr. D.S.Pheruman, Advocate for the petitioners.

Mr. Arshdeep Singh Kler, Deputy Advocate General, Punjab
for the respondent/State assisted by ASI Gurmukh Singh.

Mr. K.S.Lakhanpal, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of two accused brothers, namely, Harjinder Singh and Shinder Singh @ Sukhwinder Singh in case FIR No.148 dated 04.09.2014, under Sections 306/34 of the Indian Penal Code (for short 'IPC'), registered with Police Station City Gurdaspur, District Gurdaspur.

The complainant-Manjit Kaur alleges that her husband-Kashmira Singh was being repeatedly threatened by the Sarpanch Harjinder Singh (petitioner No.1) and his brother-Shinder Singh @ Sukhwinder Singh (petitioner No.2) for not giving evidence against them in a pending trial for an offence under Section 323, IPC. Due to the extreme pressure, her husband on the intervening night of 03-04.09.2014 committed suicide by hanging himself.

Both the petitioners were taken in custody on 04.09.2014.

The record bares out that both the petitioners were ordered to be released on interim bail by this Court, vide order dated 28.05.2015, to await the outcome of the FSL report qua the viscera of the deceased.

At the time of hearing today, learned Counsel for the petitioners submits that as the deceased-Kashmira Singh had committed suicide by strangulation at his home, the FSL report regarding viscera would have no bearing on the merits of their case for grant of regular bail.

It is next submitted that the petitioners have already undergone more than eight months of custody and thereafter almost availed interim bail for one year without misusing the same. Thus, learned Counsel for the petitioners prays for confirmation of the interim bail.

Learned State Counsel, assisted by ASI Gurmukh Singh, does not refute the aforesaid situation.

Learned Counsel for the complainant vehemently opposes the grant of bail.

In view of the aforesaid circumstances, the interim bail granted by the trial Court pursuant to the order dated 28.05.2015 passed by this Court is confirmed and the petitioners are ordered to be released on regular bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

May 26, 2016
Gagan

(JASWANT SINGH)
JUDGE