

Sr. No. 225

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M- 2920 of 2016 (O&M)

Date of Decision: 17.03.2016

Sonu

...Petitioner

Versus

State of Haryana

...Respondent

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

Present:- Mr. R.A.Sheoran, Advocate,
for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.519 dated 08.10.2015, under Sections 306/120-B of Indian Penal Code, registered at Police Station Sadar Dadri, District Bhiwani.

Counsel for the parties have been heard.

FIR was registered on the statement of Naveen Kumar in relation to an occurrence dated 08.10.2015 wherein cousin of the complainant, namely, Pardeep @ Kalu is stated to have committed suicide by hanging. Allegations were levelled against the present petitioner, namely, Sonu as also his parents, namely, Ram Bhagat father and Santra mother. It was alleged that the present petitioner had on a number of occasions pasted pamphlets against the family of the deceased in the village and for such behaviour he had been rebuked. It was further alleged that Pardeep had installed a CCTV camera in front of his house and on the night of 5/6.10.2015 Sonu had cut a wire of the CCTV camera. A panchayat in the village was also stated to have been convened wherein

the petitioner admitted his mistake. Further alleged that the petitioner as also his parents had quarreled with Pardeep on 08.10.2015 and under such circumstances Pardeep had committed suicide.

Present petitioner was arrested on 11.10.2015.

Even though complainant had raised allegations against the parents of the present petitioner but during the course of investigation they have been found innocent and only the present petitioner was nominated as an accused.

State counsel upon instructions from ASI Jogender Singh would apprise the Court that investigation having been completed, challan was presented and even charges have been framed on 21.12.2015. Prosecution evidence is still to be led. The trial as such is at the initial stage and would take time to conclude.

Against the backdrop of allegations, the issue as to whether offence under Section 306 IPC is made out against the petitioner would be a moot question to be considered during the course of trial.

In view of the above, without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Bhiwani.

Disposed of.

17.03.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**