

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

**CRM-M No. 29635 of 2016(O&M)
Date of Decision : 30.08.2016**

Bhura Khan

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present : Mr. Karan Garg, Advocate
for the petitioner.

Mr.J.S.Riar, AAG, Punjab.

Mr.Ram Niwas Kush, Advocate for the complainant.

RITU BAHRI, J. (Oral)

This is a petition for the grant of regular bail in case bearing FIR No. 46 dated 04.04.2016, under Sections 306/506 IPC registered at Police Station Dialpura, District Bathinda.

The FIR has been registered on the statement of Reena Kaur wherein she has alleged that on the date of alleged occurrence her father had gone to the house of one Major Singh and her elder brother had gone to attend his friend's marriage. Her younger brother had taken the cattle for grazing. The petitioner, who used to come to their house and was having illicit relations with her mother, came to their house and sat with her mother

Karamjit Kaur. She(complainant) was making tea at that time. Thereafter

petitioner started speaking loudly and he and her mother both had a quarrel. He threatened her mother that he would spoil her reputation in the village. He also slapped her and picked up a *danda* from their house and tried to hit her mother but she (complainant) intervened and the petitioner left the house while hurling abuses and also gave threats. Her mother then bolted the door of the room and asked her to go away but she remained standing there. Her mother then poured kerosene oil on herself and she (complainant) immediately rushed outside to call neighbours who came and opened the door by pushing it but by that time her mother had set herself on fire. She was taken to hospital but she died on 04.04.2016.

After registration of the FIR challan has been presented and charges have been framed on 19.08.2016 and out of 15 prosecution witnesses, 5 have been examined. The regular bail application filed by the petitioner has been declined by the trial Court on the ground that he had a quarrel with the deceased and when he left the house of the deceased, she bolted the door of the room, poured kerosene oil and set herself ablaze. By his act the accused-petitioner abetted the deceased to commit suicide.

In my opinion the reason for quarrel between the petitioner and the deceased would be subject matter of the trial and cannot be looked into at this stage. Therefore, keeping in view the fact that the petitioner was not present at the time when deceased committed suicide by setting herself on fire and also the fact that the petitioner has been in custody since 04.04.2016, without expressing any opinion on the merits of the case, he is ordered to be released on bail, during the pendency the trial, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate,

Bathinda.

Petition stands disposed of.

(RITU BAHRI)
JUDGE

August 30, 2016
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No