

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

**Crl. Misc. No.M-31836 of 2016 (O&M)
Date of decision : 23.09.2016**

Sukhdeep Singh

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Munish Gulati, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG, Punjab.

ANITA CHAUDHRY, J.

This is the second petition filed by the petitioner seeking regular bail in FIR No.44 dated 29.04.2015, registered under Sections 306, 506, 120-B IPC, Police Station Badhni Kalan, District Moga.

Counsel for the petitioner states that the first application was withdrawn on 15.02.2016 and the petitioner is in custody since 29.04.2015 and only five witnesses have been examined. Counsel asserts that there is no connection with the earlier FIR and that trial had ended in acquittal and there appears to be no progress in the trial and bail be allowed.

The bail application has been opposed by the State and it was urged that a case under Section 376 IPC was registered against the petitioner and the statement of the prosecutrix completely could not be

recorded as she committed suicide on account of the threats given by the accused and though that trial ended in acquittal but the suicide is on account of the acts of the petitioner.

A perusal of the judgment placed on record by the petitioner shows that the statement of the victim was being recorded in the case registered under Section 376 IPC. The victim was 15 years old. Her cross-examination was deferred on different dates either on account of the request made by the defence counsel and on another occasion when the Court did not have the time, the case was being adjourned again and again. The victim had gone to the Court along with her mother on 21.04.2015 and had presented herself for cross-examination but the statement could not be recorded on that day and case was adjourned. After a week i.e. on 28.04.2015, the deceased committed suicide. The FIR refers to the incident which occurred outside the Court on 21.04.2015. Allegations were made that threats were being extended to the girl and she committed suicide.

The allegations are serious. No case for bail is made out. The petition is dismissed.

23.09.2016

Sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No