

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

CRM-M-43007-2016

Date of Decision : 22.12.2016

Pushpa

.....Petitioner

Versus

State of Punjab

.....respondent

Present : Mr. Kuljit Singh, Advocate,
for the petitioner.

Mr. Mikhail Kad, AAG, Punjab
for the respondent-State.

JAISHREE THAKUR, J.

1. The instant petition under Section 439 Cr.P.C. has been filed seeking grant of regular bail to the petitioner in case FIR No. 138 dated 14.09.2016 under Sections 306 and 34 of the Indian Penal Code (hereinafter referred to as “the IPC”), registered at Police Station Dasuya, District Hoshiarpur.

2. Learned counsel for the petitioner contends that the petitioner, who is 63 years old, has been implicated falsely in the aforesaid case. It is contended that daughter of the complainant was residing in her parental home for the last one month prior to the occurrence and there was no occasion for the petitioner herein to subject the complainant's daughter to harassment forcing her to commit suicide. Even in the FIR there is no specific allegation as to what was the conduct of the petitioner herein to abet her to commit suicide by consuming poison.

3. Learned State counsel submits that the investigation is complete and the challan has been presented.

4. I have heard learned counsel for the parties and with their assistance have gone through the record of the case.

5. In view of the fact that the challan has been presented, investigation has been completed and the petitioner, who is 63 years old, has been in custody since 14.09.2016, and without expressing any opinion on the merits of the case, the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court, subject to the following conditions :-

- (i) He shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the him shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

22.12.2016
SP

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No