

215.

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

CRM-M-44093-2016

Date of decision:16.12.2016

BIMAL KUMAR ALIAS ATUL

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Prabhjeet Singh Sullar, Advocate,
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of concession of regular bail to the petitioner-Bimal Kumar alias Atul in case FIR No.115 dated 25.09.2016 under Section 306 IPC, registered at Police Station Bhogpur, District Jalandhar.

Learned counsel for the petitioner relies upon judgment dated 16.11.2016 of this Court passed in CRM-M-39586-2016 titled as Rajvir Kaur Versus State of Punjab wherein under similar circumstances, bail has been granted to the co-accused in the case. He states that there is no allegation against the petitioner and he has been named in the suicide note for the simple reason that he had advanced friendly loan to the deceased who committed suicide due to financial crunch. The alleged suicide note is highly doubted. The petitioner is in custody since 25.09.2016 and the investigation in the case has already been completed and the challan has

been presented.

Learned State counsel, on instructions from ASI Naresh Pal, does not dispute the custody. However, submits that as many as 4 persons have committed suicide and since the petitioner has specifically been named in the suicide note, he does not deserve to be released on regular bail.

I have heard learned counsel for the parties.

The petitioner is stated to be in custody since 25.09.2016. Police has already submitted challan. Since the co-accused, namely, Rajvir Kaur has already been released on bail by this Court and the trial in the case will take sufficient long time, this Court is of the opinion that no useful purpose would be served by keeping the petitioner in custody.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing of bail bonds/surety bonds to the satisfaction of the trial Court.

However, it is made clear that the petitioner will not hamper the trial in any manner. It is also made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case.

(HARI PAL VERMA)
JUDGE

16.12.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.