

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No: 205

CRM-M-11564-2017

. . .

Sunil Kumar

Versus

State of Punjab

. . .

Present: Mr. L.S.Sidhu, Advocate, for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

. . .

Through this petition filed under Section 439 Cr.P.C., the petitioner seeks the concession of regular bail in FIR No.142, dated 22.12.2016, registered under Section 306 IPC, at Police Station Gidderbaha, District Shri Muktsar Sahib.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in the present case; there is no other criminal case pending against him; he is in custody for the last over three months; after completion of investigation, a report under Section 173 Cr.P.C. has already been filed before the competent Court; whether the petitioner has abetted the suicide of the deceased-Sanjiv Kumar, would be debatable as the suicide note is rather vague and that the trial is likely to take long time to conclude since the same has not even started as there are as many as 17 prosecution witnesses cited.

Learned State counsel opposes the bail application on the ground that it is the petitioner who has driven deceased-Sanjiv Kumar to commit suicide.

After considering the rival submissions, I am of the opinion that the petitioner deserves the concession of regular bail. Resultantly, it is directed that the petitioner be admitted to bail subject to the satisfaction of the CJM/Duty Magistrate, Sri Muktsar Sahib.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

During the period that the bail is granted to the petitioner, if he is found indulging in any criminal/illegal activity or misusing the concession of bail granted by this Court, it would be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the bail granted to the petitioner.

07.04.2017

shamsher

[DEEPAK SIBAL]
JUDGE