

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-13844 of 2017

Date of Decision: 28.4.2017

Daljit Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. K.B.S.Mann, Advocate
for the petitioner

Rekha Mittal, J.

The petitioner prays for grant of regular bail in FIR No. 2 dated 6.1.2017 under Section 306 read with Section 34 of the Indian Penal Code (in short "IPC") registered at Police Station Bariwala, District Shri Muktsar Sahib.

Notice of motion.

Mr. Mikhail Kad, AAG, Punjab accepts notice on behalf of the respondent-State.

Counsel for the petitioner would contend that the petitioner has been indicted in the crime on the allegations raised by husband of the deceased that on 4.1.2017 at night time (at 9.30 P.M.), two boys namely Sukhdev Singh @ Dev and Daljit Singh @ Kaka (petitioner herein) entered their house and compelled the deceased to make illicit relations with them, as was disclosed to him by his wife on mobile phone. It is further submitted that neither the deceased nor her husband lodged any complaint to the police with regard to the alleged occurrence dated 4.1.2017. It is further submitted that as per case of the prosecution, deceased left behind a suicide note but in the suicide note, she has not levelled any allegations against the petitioner rather had stated that the reason of her death is Dev. She had no

link with any of the boys of the village. The last submission made by counsel is that on completion of investigation, challan has been presented in the Court and conclusion of trial is likely to take its own time. The petitioner is ready to face proceedings, in accordance with law.

Counsel for the State has not disputed factual assertions but opposed the prayer for bail with the submission that after framing of charge, the case is fixed for 16.5.2017 for evidence of the prosecution.

Be that as it may, challan has already been presented in the Court. The petitioner has not been indicted in the crime at the behest of the deceased in view of the alleged suicide note left behind; the prosecution till date has not examined any of the witnesses; and the trial is likely to take long time. There is no allegation that the petitioner is likely to flee from the process of justice, in case enlarged on bail

Without meaning to express any opinion on merits of the controversy, bail to the satisfaction of the trial court. However, he shall abide by the following conditions:-

- (i) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- (ii) He shall not leave the limits of this country without prior permission of the Court.

Petition stands disposed of accordingly.

(Rekha Mittal)
Judge

28.4.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No