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

CRM-M-2827 of 2017 (O&M)
Date of decision: April 19, 2017

Ashwani Sehdev

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Sanjeev Duggal, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. AG Punjab.

Mr. Navkiran Singh, Advocate for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

This is a petition seeking grant of regular bail to the petitioner in FIR No.118 dated 18.08.2016, under Section 306 of the Indian Penal Code, 1860, registered at Police Station Division No.4, Jalandhar.

The petitioner having made attempt to obtain anticipatory bail from this Court as well as from the Apex Court, ultimately surrendered before the trial Court on 29.03.2017 and is in custody since then. The allegations against the petitioner are that he used abusive language, which according to the prosecution, resulted into commission of suicide by Vikrant Shoor. In my opinion, in so far as the custody of the petitioner is concerned, the same is not required or necessary looking to the nature of allegations made against him all the

more so because the petitioner reside at a far distance and there is hardly any likelihood of tampering with the prosecution evidence. At any rate, by imposing condition not to tamper the prosecution evidence, the petitioner can be released on regular bail.

Learned counsel for the complainant vehemently opposed the petition for bail to the petitioner on the ground that there is, prima-facie case made out against the petitioner. However, the submission is not acceptable as there is no point in continuing the detention of the petitioner as under trial *ad infinitum*.

In that view of the matter, following order is passed:-

ORDER

- (i) CRM-M-2827 of 2017 is allowed;
- (ii) Petitioner is ordered to be released on bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

April 19, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No