

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

CRM-M No.34950 of 2017

Date of decision: November 29, 2017

Janak Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Bikramjeet Singh Jatana, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab
for the respondent-State.

LISA GILL, J.(ORAL)

Petitioner seeks concession of bail pending trial in FIR No.78 dated 22.08.2016 registered under Sections 306, 384, 386, 387 of Indian Penal Code, Police Station Bareta, District Mansa. This is the petitioner's second application for bail, the first one being withdrawn on 24.07.2017.

It is submitted that petitioner has been falsely implicated in this case. The ingredients of the offences as mentioned are not made out in any manner. Learned counsel for the petitioner contends that a perusal of the alleged suicide note (Annexure P-2) does not in any manner indicate that the petitioner had ever abetted or instigated the complainant's wife to commit suicide. There is nothing on record, it is submitted, to show handing over of any money to the petitioner by the deceased. Moreover, the complainant in this case has since testified before the learned trial Court. Petitioner is in custody since 25th August, 2016 and is not involved in any other case. Therefore, it is prayed that this petition be allowed.

Photocopy of the statement of complainant furnished in Court today is taken on record subject to just exceptions.

Heard learned counsel for the parties.

Learned State counsel is unable to deny that the complainant in this case has since testified before the learned trial Court. It is verified on instructions from HC Gurbachan Singh that the petitioner is not involved in any other criminal case. There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail. Trial in this case is not likely to conclude in the near future. No useful purpose shall be served by incarcerating the petitioner any longer.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits thereof, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

November 29, 2017

m. sharma

**(LISA GILL)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No