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

CRM-M-36990-2016

Date of decision: 11.01.2016

Bishamber

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present:- Mr.Sanjiv Gupta, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

* * *

DEEPAK SIBAL, J. (Oral)

Through this petition filed under Section 439 Cr.P.C., the petitioner seeks regular bail in FIR No.350 dated 25.06.2016 under Sections 306/34 IPC registered at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner submits that even if the allegations in the FIR are taken as the gospel truth, which he does not admit, there was altercation between the wife of the deceased and the deceased in the presence of the Panchayat as a result of which he committed suicide. He submits that in the altercation there was hardly any role attributed to the petitioner which even otherwise would not constitute abetment on his part. It was thus a debatable issue whether the provisions of Section 306 IPC would at all be attracted. He further submits that the challan has been filed and the petitioner is no longer required by the prosecution. It is still further submitted that the petitioner, a senior citizen; is in custody for the last over six months; in the trial out of 14 witnesses only one has been examined and therefore, the trial is likely to take a long time to complete.

Learned State counsel opposed the petition *inter alia* on the ground that a life has been lost due to active role played by the petitioner.

Without commenting on the merits of the matter, in the peculiar facts of the case, I deem it proper to grant to the petitioner the concession of regular bail to the satisfaction of the trial Court.

January 11, 2017

Sunil Devi

(DEEPAK SIBAL)
JUDGE

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