

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

CRM-M No.406 of 2017
Date of decision: 29th March, 2017

Madan Lal

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Ms. G.K.Mann, Advocate
for the petitioner.

Mr. Gurinderjit Singh, Dy. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Madan Lal alias Madhu in this regular bail application filed under Section 439 Cr.P.C. are that on 22.11.2015 son of the complainant Chur Singh namely Raj Kumar alias Raja consumed some poisonous substance leading to his death. It is the allegation against the petitioner that when the deceased was being ferried to the hospital for immediate medical treatment he had confided in the complainant that it was the accused Madan Lal @ Madhu and his wife Kashmir Kaur non-applicant, who abetted in commission of this crime compelling him to take such a step.

Contentions of the learned counsel for the petitioner are that the petitioner is in custody since September 2016 and that similarly

placed co-accused non-applicant Kashmir Kaur alias Kashmiro has been allowed bail vide orders of this Court dated 18.11.2016.

The bail application has been stoutly opposed on behalf of the State. However, appreciating the submissions of the two sides, the very insinuations levelled tantamounts to giving abuses by the accused side and telling him that either they would kill him or he should do it on his own. Thus, the very element of abetment to suicide is a debatable issue together with the principle of parity and the fact that petitioner is in custody since long and the trial is not likely to conclude in the near future, impels this Court to allow the prayer made. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

March 29, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No