

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-45936 of 2017
Date of Decision: 08.12.2017

Sanjeev Kumar @ Sonu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Shubham Jain, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.176 dated 13.08.2017 registered for offences punishable under Section 306 of Indian Penal Code (for short, "IPC") at Police Station Canal Colony, Bathinda.

Heard.

Notice of motion.

On asking of the court, Ms. Seena Mand, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per allegation in the FIR, there was some property dispute between deceased-Charanjeet Singh and his brothers, namely, Bhim Sain and Hari Ram. Deceased had given ₹50,000/- to Hari Ram and ₹1 lac to Bhim Sain. However, no writing took place because of close relationship.

At later stage, both Bhim Sain and Hari Ram started demanding more

money from Charanjeet Singh, which perturbed him and he committed suicide.

Learned State counsel on instructions from HC Tara Singh submits that deceased-Charanjeet Singh had left a suicide note in which he named Maya Devi wife of Bhim Sain, Bhim Sain, petitioner-Sanjeev Kumar @ Sonu, Mamta wife of Hari Ram, Hari Ram and his son Bhajan Lal for harassing him. The police has arrested all the six persons, who are in custody. The FSL report regarding handwriting on suicide note is still awaited.

In the FIR, there is no allegation that the petitioner was in any manner concerned with the property dispute or was harassing the deceased. The suicide note is still subject to verification and the report of FSL is still awaited.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sanjeev Kumar @ Sonu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the

petitioner shall have to apply for bail afresh.

- (c) He shall not leave the country without the previous permission of the Court.

December 08, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No