

CRM -M-4669 of 2017

In the High Court of Punjab and Haryana at Chandigarh

**CRM -M-4669 of 2017
Date of Decision: 17.3.2017**

Bikkar Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr.M.S.Tiwana, Advocate
for the petitioner**

Rekha Mittal, J.

Heard.

Notice of motion.

Mr. Ankur Jain, AAG, Punjab accepts notice on behalf of the respondent-State.

The petitioner prays for grant of regular bail in FIR No. 59 dated 31.5.2016 for offence punishable under Section 306 read with Section 34 of the Indian Penal Code (in short "IPC") registered at police station, Bhikhi, District Mansa.

Counsel for the petitioner has submitted that as per showing of the FIR itself, Sarabjit Kaur, since deceased, was residing in her parental home for the past about five years. As per the allegation brought forth by Mutab Singh brother of the deceased, on 30.5.2016, there was a hearing in

divorce case filed by the husband and pending in the court at Mansa and at that time efforts were made for compromise with Bikkar Singh but Nasib Singh Ex. Panch of his village (Bikkar Singh's village) was not in favour of compromise due to which Sarabjit Kaur was upset with her husband and Nasib Singh Ex Panch and she stated that she did not want to live. It is argued with vehemence that taking into consideration the allegation brought forth in the FIR, it would be a moot point to be decided during trial if the petitioner can be attributed abetment of suicide by Sarabjit Kaur. The last submission made by counsel is that the petitioner is in custody since June 2016, challan has been presented in the Court and conclusion of trial is likely to take its own time .

Counsel for the State has opposed the prayer for bail with the submission that the complainant is yet to be examined in the case.

I have heard counsel for the parties, perused the paper book and the police records.

Concededly, Sarabjit Kaur was residing in her parental home for the past about five years. As per allegations raised by the complainant, Nasib Singh Ex. Panch of the village of Bikkar Singh was not in favour of any settlement. There is no allegation that the petitioner does not have a permanent place of stay and is likely to flee from the process of justice in case enlarged on bail.

Without commenting upon merits of the case, bail to the petitioner subject to satisfaction of the trial court. However, the petitioner shall abide by the following conditions:-

- (i) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the

Investigating Officer/Court; and
(ii)He shall not leave the limits of this country without
prior permission of the Court.

Petition stands disposed of.

(Rekha Mittal)
Judge

17.3.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No