

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

**CRM NO. M-47270 OF 2017
DECIDED ON : 19.12.2017**

Kulwant @ Kallu

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Anshuman Dalal, Advocate,
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.651 dated 30.09.2016 under Sections 302/328/120-B IPC, registered at Police Station City Rohtak, District Rohtak.

Learned counsel for the petitioner contends that allegations against the petitioner in the FIR are that he along with others had forcibly administered poison to the deceased. He, however, contends that a suicide note was also recovered, wherein the deceased had stated that 18 persons, including the petitioner, were harassing him as the deceased was a guarantor for the loan advanced to the petitioner. He also contends that even averments in the suicide note would not, *prima facie*, constitute an offence under Section 306 IPC, as the deceased was allegedly demanding money from the petitioner, which was not being returned.

Learned counsel further contends that petitioner is in custody for over a year since his arrest on 24.10.2016.

Learned State counsel, upon instructions from SI Pawan Kumar, states that investigation has been completed and challan has been filed in the Court, wherein petitioner along with others, has been arraigned as accused under Section 306/34 IPC only.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over a year and challan has been filed under Section 306/34 IPC, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. Petitioner Kulwant @ Kallu is ordered to be released on regular bail on his furnishing bonds to the satisfaction of trial Court/Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

DECEMBER 19, 2017
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Whether speaking/reasoned : YES
Whether reportable : NO