

Sr. No.217

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-8010 of 2017 (O&M)

Date of Decision:16.03.2017

Satpal

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Vipin Mahajan, Advocate,
for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail pending trial to the petitioner in case FIR No.66 dated 24.10.2014, under Sections 306/34 IPC, registered at Police Station Taragarh, District Pathankot.

Counsel for the parties have been heard.

FIR in question came to be registered on 24.10.2014 on the statement of Manmohan Singh. Deceased is Sangram Singh @ Rinku i.e. son of the complainant who is stated to have committed suicide by hanging on 24.10.2014.

As per prosecution version, Sangram Singh @ Rinku had left behind a suicide note and in which name of the present petitioner along with co-accused Kumar Singh Thakur as also one Avtar Thakur had been mentioned. It is also the version of the complainant that theft had taken place in the house of Satpal Saini and the deceased Sangram Singh @ Rinku

was being shown as suspect in such theft case. Further allegations are that on account of such circumstances, the entire village was looking down upon the deceased.

Court has been informed that all the three accused including the present petitioner having evaded the process of law were declared proclaimed offender in the year 2014 itself. The petitioner was arrested on 27.09.2016 and is in custody ever since.

The complaint lodged by father of the deceased as also from the contents of the suicide note, the issue as to whether the offence of abetment to suicide is made out against the present petitioner would be a moot question to be considered by the trial Court.

Even though, the present petition has been opposed vehemently by the learned State counsel by stating that the petitioner had been declared proclaimed offender and had evaded the process of law but the fact remains that he was arrested and faced incarceration since 27.09.2016.

It has also gone uncontroverted that co-accused Kumar Singh Thakur as also Avtar Thakur and who was identically placed has been granted the benefit of bail.

Without making any observations on merit, prayer made in the present petition is accepted. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Pathankot.

Disposed of.

16.03.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No