

CRM-M-10055-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10055-2018

Date of Decision: 16th March, 2018

Ram Kishan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Hardeep Singh, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

AUGUSTINE GEORGE MASI, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.186, dated 19.11.2017, registered at Police Station Sadar Hoshiarpur, District Hoshiarpur, under Section 306 read with Section 34 of the Indian Penal Code.

It is the contention of the learned counsel for the petitioner that although the petitioner has also been named in the FIR as one of the persons who had threatened deceased-Thakur Singh but the fact remains that he is the father of Kulwinder Kaur, who is ultimately attributed to be the trigger for committing suicide. In this regard, he refers to the suicide note of the deceased (Annexure P-6). He, therefore, prays that the petitioner who is in custody since 19.11.2017 be granted the concession of bail as no recovery is to be effected from him and trial is not likely to conclude soon.

On the other hand, counsel for the State submits that the petitioner has been specifically named in the suicide note and it has further been stated that because the petitioner had been harassing deceased-Thakur Dass along with his daughter-Kulwinder Kaur, deceased-Thakur Dass has taken the extreme step of committing suicide. He, thus, contends that the petitioner be not granted the concession of regular bail. He, however, states that the challan has been presented and the case is fixed for framing of charges.

Having considered the submissions made by the counsel for the parties and keeping in view the suicide note where the assertion as made by the counsel for the petitioner appears to be correct and the fact that the trial is not likely to conclude soon, the present petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

Any observation made herein-above shall have no bearing on the merits of the case during the trial.

16th March, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No