

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-28091 of 2018
Date of Decision: 13.7.2018

Billu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Parvesh Sachdeva, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

RAJ SHEKHAR ATTRI, 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.20 dated 22.7.2017 registered for the offences punishable under Sections 306, 34 of Indian Penal Code (for short, "IPC") at Police Station GRP Abohar, District Fazilka.

Heard.

As per prosecution case, deceased Babu Ram had committed suicide by jumping before the train. After his death, his brother Sukhdev Kumar lodged FIR on the allegations that Smt. Charanjit Kaur wife of the deceased had illicit relations with the petitioner. Even on 24.5.2016, said Charanjeet Kaur was found in the company of Billu petitioner and both were seen in compromising position. Thereafter, a compromise has been effected between them but she did not mend her ways. Due to this reason, the deceased had committed suicide.

Liability of the petitioner qua 306 IPC is debatable.

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-Billu son of Mangat Ram 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 13, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No