

CRM-M-29762-2018

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

CRM-M-29762-2018

Date of Decision: 24.07.2018

Tajinder Singh @ Toti

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Manbir Singh Basra, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Ish Puneet Singh, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner-Tajinder Singh @ Toti has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.64 dated 14.04.2018, registered at Police Station Dina Nagar, District Gurdaspur, under Sections 306 and 34 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared on behalf of respondent-State and complainant has also appeared through her counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

From the record, I find that FIR, in the present case, has been registered at the instance of complainant-Amarjit Kaur. As per the

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allegations, Surjit Singh purchased one Haveli in the village from one Baldev Singh, who had purchased it from Gahal Singh. After the death of Gahal Singh, the present petitioner who is son of Gahal Singh sent a legal notice to Surjit Singh(since deceased). Then, they tried to settle the matter, but the petitioner did not agree and as per the FIR, Surjit Singh was harassed by the petitioner.

Perusal of the FIR as well as suicide note shows that no specific instance of harassment etc. has been given therein.

The petitioner has been in custody since 11.06.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody.

At this stage, in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that trial of the case will take a long time and no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case. Therefore, finding merit in the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

However, nothing stated above shall constitute my opinion on merits of the case.

24.07.2018

parveen kumar

Whether speaking/reasoned

Whether reportable

:

:

(INDERJIT SINGH)

JUDGE

Yes

No