

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

CRM-M-30420-2018 (O&M)

Date of Decision: 01.08.2018

Rajinder Singh Sidhu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. A.D.S. Deol, Sr. Advocate with
Mr. H.S. Deol, Advocate for the petitioner(s).

Mr. Ajay Pal Singh Gill , D.A.G., Punjab.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No.42 dated 28.05.2018, registered under Section 306 IPC and Sections 3/4 SC/ST Act (subsequently added) at Police Station SGN Dev Thermal, Bathinda, District Bathinda.

Learned counsel for the petitioner contends that Jasmeen was married to Sukhwinder Singh and had died in her parents house on 27.02.2018 and her father had made a statement to the police that her daughter was expecting a child and she had been told that the child in the womb did not have a heartbeat and she had gone in a deep depression and yesterday she left the house to purchase some medicines but did not return and later they came to know that a young girl has been admitted to a

government hospital after she had consumed poison. He further urged that a DDR was entered and no FIR was registered. Counsel further states that the petitioner is a Municipal Councilor and an FIR had been registered against him by Tarloch Singh, M.C. on 13.05.2018 in which interim bail was allowed and he was asked to join the investigation and when he had gone to join the investigation, then he was taken into custody and put behind the bars in a case registered under Section 107/151 Cr.P.C. It was urged that Tarloch Singh had got the present FIR lodged regarding death of Jasmeen on 28.05.2018 that the cause of death of the girl could not be understood by the family and an audio clip went viral in which Rajinder Singh, petitioner was heard talking to the victim using foul language and also hurling abuses upon him (Tarloch Singh).

The petitioner has placed on record the transcript. It was urged that it does not refer to any name and the person who is talking is referring to the difficulties faced by the authorities in improving the sewerage leakage and till now it is not even clear as to whom he was talking and the petitioner has been named on account of rivalry with the petitioner.

Learned State counsel states that one Lovepreet who was in the same vehicle and had recorded the audio conversation and that audio was also posted on the facebook and it was the petitioner who was talking to the girl and they have sent the voice sample for comparison.

Admittedly, there is no recording or voice of the girl who was speaking allegedly to the petitioner. The voice samples have been taken but the report has not been received yet. Father of the deceased did not suspect anyone. It was also stated by the State counsel that the mother-in-law of the deceased had made a statement that the deceased had confided in her. That

statement is said to have been made three months after the incident. Challan has already been filed.

The trial would take time. Considering the peculiar facts of the case, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing surety and adequate bail bonds to the satisfaction of the trial Court/Duty Magistrate.

August 01, 2018
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(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No