

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

CRM-M-30663-2017

Date of decision: 21.08.2018

Kuldeep Singh

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rahul Rampal, Advocate, for
Mr. Sarju Puri, Advocate,
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

The instant petition has been filed under Section 439(2) of Cr.P.C., for cancellation of bail granted to respondent No.2 vide order dated 07.08.2017 (Annexure P-2) in in case FIR No. 61 dated 08.05.2017 under Section 306 of the Indian Penal Code, registered at Police Station Balachaur, District SBS Nagar.

Learned counsel for the petitioner herein prays for cancellation of bail of respondent No.2 on the ground that the Addl. Sessions Judge, SBS Nagar while allowing the bail has not taken note of the fact that the deceased committed suicide within a period of one year one month of her marriage and also has not given reasons for allowing the bail. It is also contended that the brother of the husband of the deceased is a material

witness and could be influenced.

Per contra, learned counsel appearing on behalf of the respondent-State submits that the Addl. Sessions Judge granted bail on two counts, one by taking into account the length of custody as well as the fact that the challan has been presented and that the report of Forensic Lab had proved that hand writing on the suicide note was that of Daljit Kaur in which she had not held the applicant-respondent No.2 responsible for her suicide.

I have heard learned counsel for the parties and have gone through the order dated 07.08.2017 passed by the learned Addl. Sessions Judge, SBS Nagar.

It is an admitted fact that a report of FSL has been given in which it is noted that the suicide note has been written by the deceased and in the suicide she has not held respondent No.2 responsible for her suicide. Normally, regular bail is allowed in case, the investigation is complete and the challan has been presented and also taking into account the length of custody. I find no infirmity in the orders that have been passed by the Addl. Sessions Judge allowing regular bail to respondent No.2. No ground for cancellation of bail is made out. However, while disposing of this petition, the petitioner is at liberty to approach once again, in case there be any positive steps taken by respondent No.2 herein to influence any witness.

Petition stands disposed of accordingly.

21.08.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.