

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-32805-2018

Date of decision: 07.08.2018

Sonu Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. KB Raheja, Advocate for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

Mr. AS Sekhon, Advocate for the complainant.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Sonu Kumar, has prayed for grant of regular bail in case FIR No. 56 dated 03.06.2018 registered under Section 306 IPC at Police Station Sadar Faridkot, District Faridkot.

2. Learned counsel appearing for complainant has filed Power of Attorney on his own, despite the fact that the complainant has not been impleaded as party. The same is taken on record. Office to tag the same at the appropriate place.

3. According to the prosecution, Amritpal Singh, committed suicide on 02.06.2018, on account of suicidal death of his wife-Rajpreet Kaur, with whom the petitioner had maintained illicit relations.

4. Learned counsel for the petitioner *inter alia* contends that no suicide note was left by the deceased. The FIR has been lodged by the

brother of deceased-Amritpal Singh. There is no evidence on the record

that the petitioner had ever induced, abetted or forced the deceased for committing suicide. Final report under Section 173(2) Cr.P.C. has not been filed, so far. The petitioner is in custody since 16.06.2018. Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail. In support of his contentions, learned counsel for the petitioner has relied upon judgments in (i) **Saroj Vs. State of Haryana, 2011(22) RCR (Criminal) 887;** (ii) **State of Punjab Vs. Kamaljit Kaur @ Bholi and another, 2008(2) RCR (Criminal) 562;** (iii) **Pinakin Mahpatray Rawal Vs. State of Gujarat, 2013(3) SCC (Criminal) 801;** (iv) **K.V. Parkash Babu Vs. State of Karnataka, 2017(1) RCR (Criminal) 60** and (vi) **Mangleshwar Singh (Dr.) Vs. State of M.P., 2003(3) RCR (Criminal) 56.**

5. On the other hand, learned State assisted by learned counsel for the complainant vehemently opposed the submissions made by learned counsel for the petitioner.

6. Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Sonu Kumar, is ordered to be released on bail pending trial, on his furnishing bail bonds and surety bonds, to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

August 07, 2018
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(RAMENDRA JAIN)
JUDGE

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