

CRM-M-37015 of 2018

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

CRM-M-37015 of 2018
Date of Decision: 13.11.2018

Gurdhian Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. M.S. Kathuria, Advocate,
for Mr. Partap Singh, Advocate, for the petitioner.
Mr. Yahwinder Singh, DAG, Haryana.
Mr. Vineet Chaudhary, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner Gurdhian Singh in a case arising from FIR No.216 dated 19.07.2018 registered under Sections 306 and 34 IPC at Police Station Mahesh Nagar, District Ambala.

In nutshell, Narender Kaur, real sister of the petitioner, married to Randhir Singh, committed suicide on 07.07.2017 in her matrimonial home. Consequently, her husband Randhir Singh was booked under Section 304-B IPC and in the alternative under Section 302 IPC and was granted bail after ten months. After two months thereafter, Randhir Singh committed suicide on 18.07.2018 leaving behind a suicide note, naming petitioner and his uncles responsible for his suicide.

Learned counsel *inter alia* contends that petitioner has falsely been implicated by brother of deceased Randhir Singh to take revenge as the petitioner had got lodged FIR against Randhir Singh for the suicidal death

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of his sister. Petitioner is in custody since 03.08.2018. Final report under Section 173(2) Cr.P.C. has been filed in Court. Therefore, petitioner is no more required for custodial interrogation. Framing of charge and conclusion of trial may take sufficient long time. Therefore, no useful purpose would be served by detaining the petitioner in jail any more.

On the other hand, learned State counsel assisted by learned counsel for the complainant, vehemently opposing the bail application, urged that petitioner, even after taking ₹ 15.00 lakh for turning hostile against Randhir Singh in a case against him under Section 304-B IPC, is still harassing his brother-in-law Randhir Singh on account of which finding no other option, he committed suicide. Petitioner is solely responsible for the suicidal death of Randhir Singh.

Having given anxious consideration to the submissions made by both the sides, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

November 13, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No