

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-39080 of 2018
Date of Decision: 12.09.2018

Sanjeev Kumar @ Sunny

....Petitioner

VERSUS

State of U.T. Chandigarh and another

....Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Subhash Kumar, Advocate
for the petitioner.

Ms. Ashima Mor, APP, UT Chandigarh.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.173 dated 31.07.2018 registered for offences punishable under Sections 306/34 of Indian Penal Code (for short, "IPC") at Police Station Maloya, Chandigarh.

Heard.

Shiv Kumar son of complainant committed suicide on 31.07.2018. Learned APP, UT Chandigarh submits that deceased had left behind two suicide notes. While in one suicide note he has not named the petitioner but in other suicide note he has given reasons for his committing suicide as behaviour of his mother-in-law and petitioner, who were not allowing wife of the deceased to live with him and wanted him to become "Ghar Jamai".

In the FIR, which was recorded on the statement of Ramkali, mother of the deceased-Shiv Kumar, she has levelled allegations of interference of petitioner and his mother in the matrimonial life of her son

and his wife.

The petitioner was arrested on 01.08.2018. The matter is still under investigation, completion of which will take sometime and thereafter, presentation of challan and conclusion of trial will also take considerably long time. Keeping these facts in view, the present petition is allowed. Petitioner-Sanjeev Kumar @ Sunny is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

September 12, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No