

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

CRM-M-40796 of 2018

Date of Decision: October 25, 2018

Bhagirath

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Shivraj Angi, Advocate
for the petitioner.

Mr. Dhruv Dyal, Senior DAG, Punjab.

FATEH DEEP SINGH, J.

This order shall dispose off regular bail application under Section 439 Cr.P.C filed by the petitioner in case FIR No.60 dated 30.05.2017 under Section 306 IPC, Police Station, City Fazilka.

The allegations brought to the notice of this Court by the two sides are that; a marriage between the petitioner and deceased Sanjana took place in the year 2001 and that on account of some psychological issues the deceased alleged to have taken poison on 6.11.2016 resulting in her death on the same very day. It is subsequently thereto on 30.05.2017, after seven months of this occurrence, the present case has been got lodged by Dev Karan, uncle of the deceased leading to the arrest of the petitioner on 12.06.2017.

Learned counsel for the petitioner submits that it was after fifteen years of successful matrimony on account of certain issues the deceased had committed suicide and that even parents of the deceased do not have any suspicion and subsequently after seven months of the

occurrence her uncle has taken the refuge of law by deception and that petitioner is behind the bars since more than one year and four months.

Learned State counsel on instructions of ASI Sarabjit Singh, Police Station, City Fazilka has opposed the grant of bail to the petitioner on the grounds that it was on account of abetment to commit suicide by the husband/present petitioner the deceased was compelled to take such a harsh step and that the heinousness of the offence does not entitle the petitioner for any relief.

Going through the submissions, admittedly, the couple was happily married for more than fifteen years and there is no specific role attributed to the petitioner in commission of crime and that FIR has been lodged after seven months of the occurrence and that the petitioner is behind the bars since long time and the trial is not likely to be concluded in near future. The culpability, if any, shall be determined at the time of trial and no useful purpose would be served by keeping the petitioner behind bars, without adverting anything on to the merits of the case, the present petition for grant of regular bail is allowed. Petitioner is ordered to be admitted to bail to the satisfaction of the trial Court.

However, any observations made herein shall have no bearing on the merits of the case.

(FATEH DEEP SINGH)
JUDGE

October 25, 2018
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No