

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

CRM-M-43655-2018 (O&M)

Date of Decision: October 16, 2018

Gurmit Singh alias Mithu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. R.S.Mamli, Advocate for
Mrs. Surinder Kaur Mamli, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 148 dated 14.06.2018, under Sections 147, 149, 323, 306 of Indian Penal Code, registered at Police Station Sadar Tohana, District Faridabad.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 24.06.2018 and the matter has been investigated and the challan has been presented. Learned counsel further argued that in fact his wife-the deceased was in a relationship with one Vinod, who had asked the deceased to ask another lady namely Kavita wife of Lalit to maintain relationship with him and on his asking she had called Kavita w/o Lalit to develop friendship with Vinod

and this fact came into the knowledge of the family members of Kavita w/o Lalit, consequently thereafter, after feeling ashamed, she committed suicide. Learned counsel for the petitioner contends that he is the husband of the deceased who was admittedly having an affair with one Vinod and there was no occasion for him to instigate her to commit suicide. It is submitted that the petitioner has been falsely implicated in the present. It is also contended that challan has been presented and charges have been framed and statement of the complainant has been recorded and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, oppose the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, she does not dispute the fact that challan has been presented, charges have been framed and statement of the complainant has been recorded.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioner herein has been in custody since 24.06.2018 and that challan has been presented, charges have been framed and statement of the complainant has been recorded, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is

directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

October 16, 2018
seema

(JAISHREE THAKUR)
JUDGE

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