

207
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
10/11/2018 11:03
I attest to the accuracy and
authenticity of this document

CRM-M-47656-2018 (O/M)
Date of decision : 2.11.2018

Harbans Singh

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Amit Dhawan, Advocate,
for petitioner.

Ms. Sunint Kaur, AAG Punjab.

Mr. Sandeep Arora, Advocate,
for complainant.

-.-

-.-

KULDIP SINGH, J. (ORAL)

Custody certificate filed in Court today and same is taken on record.

This order will dispose of application filed by petitioner Harbans Singh under Section 439 Cr.P.C. for grant of regular bail in FIR No. 73, dated 6.6.2018, under Section 306 IPC at Police Station Goraya, District Jalandhar.

The allegations against petitioner are that one Satnam Singh committed suicide on 12.12.2014. Satnam Singh had allegedly dispatched two letters to police, wherein he stated that he was living with his deceased brother's wife and was having illicit relations with her. All accused also developed illicit relations with his brother's wife and used to make illicit relations with his deceased brother's wife in front of him, beat him and urinate on his mouth. Due to said humiliation, he is committing suicide.

I have heard the learned counsel for parties and have also carefully gone through file.

This Court will not go into merits of allegations since in this case, challan has been presented on 23.10.2018 and any comment made by this Court will influence the trial. Present petitioner was arrested on 29.9.2018. The custody period is about 1 month and 4 days. The allegations are of harassing the deceased by beating him and urinating on his mouth on several occasions. In the suicide note, the dates or approximate time of such incidents is not mentioned. As many as 11 persons are named in suicide note. The merit of case are to be established during trial. Since challan has already been presented, therefore, further detention of petitioner will not serve any purpose. As such, petition is allowed and petitioner is ordered to be released on bail on his furnishing bail bond in the sum of Rs. 50,000/-, with one surety of the like amount, to the satisfaction of trial Court/Duty Magistrate.

(KULDIP SINGH)
JUDGE

2.11.2018
sjks

Whether speaking order : Yes / No

Whether reportable : Yes / No