

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-9467-2018

Date of Decision: May 03, 2018

Jasbir Singh Anand

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

Mr. Gurpreet Singh, Advocate
for the complainant.

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No.114, dated 22.05.2017, under sections 306/34 IPC, registered at Police Station Sadar Patiala.

2. Learned counsel for the petitioner states that the petitioner has been in custody since 11.06.2017. The allegations against all the accused are identical and the co-accused have already been released on regular bail. Investigation is complete and the trial is in progress and therefore, no useful purpose would be served by keeping the petitioner in custody indefinitely.

3. Custody certificate, dated 03.05.2018, issued by Sh. Gurcharan Singh Dhaliwal, Deputy Superintendent, Central Prison, Patiala, has been filed in Court

today and the same is taken on record. According to the certificate, the petitioner has already undergone actual custody of ten months and eighteen days.

3. Learned State counsel as well as learned counsel for the complainant oppose the prayer for bail. According to them, another FIR under Section 306 IPC, had been registered against the petitioner although, ultimately a cancellation report was filed therein. The contention is that the petitioner caused a death in his earlier case as well and therefore, his case is different from the case of the other co-accused. Reliance has also been placed on the suicide note, in which the petitioner and his co-accused have been named, as the persons responsible for his death.

4. Learned counsel for the complainant has also extensively referred to other complaints made by the deceased against the petitioner, in which allegations of harassment have been made against him for restraining the deceased from collecting money due to him.

5. I have carefully heard learned counsel for the complainant with regard to the contentions of harassment made in the past. All the representations made earlier would show that the deceased was feeling harassed on account of actions of the petitioner and the co-accused. However, the same would not lead to a conclusion that there was abetment on his part. The co-accused have been granted regular bail and thus, the petitioner also deserves to be granted the same concession. Trial has just commenced and its completion would take time. Merely because the petitioner was named as an accused in an earlier FIR under section 306 IPC, does not make his case different from that of the co-accused, because the same would only show, if at all, that the petitioner indulges in brow-beating his creditors.

6. Thus, the petition is allowed. Petitioners-Jasbir Singh Anand, is ordered to be released on regular bail on his furnishing bail and surety bonds to the

satisfaction of learned trial Court concerned at Patiala.

May 03, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No