

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

CRM-M No.490 of 2019

Date of decision: 18th January, 2019

Pardeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Anmol Partap S. Mann, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

This order shall dispose off first regular bail application of petitioner husband Pardeep Singh under Section 439 Cr.P.C. in case bearing FIR No.47 dated 28.08.2018 under Sections 306, 34 IPC pertaining to Police Station Talwara, District Hoshiarpur.

Present case was got registered on the complaint of Piyara Lal father of deceased Anita Devi wife of the petitioner. In his allegations, the complainant alleged that the deceased was got married to the petitioner on 27.11.2010 and out of which the couple was bestowed with two daughters, who both are minors as on date. It is after seven years of marriage, on 27.08.2018 the deceased is alleged to have poured kerosene oil and put herself on fire leading to her death.

Learned counsel for the petitioner Mr. Anmol Partap Singh Mann inter alia contends that there is no element of any abetment to suicide by the husband and that too after seven years of marriage and the allegations of harassment do not subsist in the light of settlement that has been arrived at between the parties and has placed reliance on (Annexure P3) which was brought about on 12.10.2013 and thereafter, nothing has transpired and there is no immediate cause for the deceased to take such a step.

On behalf of the State, Mr. A.S. Sandhu, learned Additional Advocate General, Punjab assisted by ASI Rakesh Kumar, Police Station Talwara, District Hoshiarpur, has though not disputed the factual scenario as canvassed by the learned counsel for the petitioner but has opposed the grant of bail on the grounds of heinousness of the offence and seriousness of allegations.

Going through the submissions, the FIR has been got registered by the father of the deceased on mere suspicion and hearsay. There is no specific role attributed to the petitioner for having been instrumental in this suicide by the deceased. To the specific query of the Court, learned State counsel could not pin point anything incriminating at this juncture to substantiate the allegations of the complainant as to the role of the petitioner. The petitioner is behind bars since more than four months and the culpability, if any, shall be determined at the trial. The investigation and trial will take a long time to conclude. In view thereof,

this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Hoshiarpur. However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

January 18, 2019

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No