

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-7928-2019

Date of Decision:27.02.2019

Amarjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. J.K. Khetarpal, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.0145 dated 21.12.2018 under Section 306 IPC, registered at Police Station Bilga, District Jalandhar Rural.

Learned counsel for the petitioner states that the aforesaid FIR was registered at the behest of Kirat Singh, who is brother of deceased-Manjinder Kaur, who died on 20.12.2018 by hanging. He has argued that marriage between the petitioner and the deceased-Manjinder Kaur was solemnized in July 2011 and out of this wedlock, a daughter aged about 07 years and a son aged about 03 years were born. The allegation against the petitioner is that his wife wanted to go to her parents' house, but the petitioner being preoccupied with other engagements could not accompany

her to drop her to parents house, she felt it bad and therefore had committed suicide. The allegation that he ever gave beating or pulled his wife with hair are false. Rather, it is the petitioner, who informed the complainant about the death of Manjinder Kaur, who died by hanging. Petitioner is in custody since 25.12.2018.

Learned State Counsel on instructions from ASI Gurdev Singh does not dispute the custody period and has argued that the deceased committed suicide because of the harassment caused to the deceased by the petitioner and his other family members. Before committing suicide, she has telephonically informed the complainant that she was given beatings and her hair were pulled by the petitioner. Therefore, the allegations are serious.

Heard learned counsel for the parties.

The marriage between the petitioner and the deceased was solemnized in July 2011. There are two children out of this wedlock, who are being looked after by younger brother of the petitioner and taking into consideration the nature of allegations, this Court finds that strict culpability needs to be established during the course of trial as except the statement of complainant, there is no other evidence against the petitioner including the suicide note. Merely because the petitioner has not accompanied his wife or dropped her to her parents house, is not serious enough for the deceased to commit suicide.

Be that as it may, considering the fact that there are two small children from the wedlock, who need to be given care and further it is only during the course of trial, culpability of the petitioner is to be established and petitioner is in custody since 25.12.2018, this Court deems it

appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not influence any prosecution witnesses directly or indirectly in any manner.

February 27, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No