

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-42915-2018 (O&M)
Date of Decision:- 13.2.2019

Hardev Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S. Virk, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

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GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks grant of regular bail in respect of a case registered vide FIR No.84 dated 20.8.2017 at Police Station Sandaur, District Sangrur under Section 306 of Indian Penal Code, 1860.

The FIR was registered at the instance of Sarbjit Kaur, wherein it has been alleged that they owned 12 bighas of land and that about seven years back, Hardev Singh @ Hira had sold her husband's land @ ₹5 lacs per bigha and had represented that he shall purchase more land for them. It is alleged that subsequently the accused purchased 6-7 bighas of land for them but thereafter he neither returned the remaining money nor gave any more land to them. It is alleged that on 19.8.2017, her husband came back from the fields and started consuming liquor, being habitual of drinking, and

consumed 'sulfas' tablets and stated that he had consumed the same as Hardev Singh has neither returned the money nor has given more land. It is further alleged that complainant's husband also told the complainant that he had written a note and kept the same on the tractor. It is thus alleged that petitioner had abetted suicide of complainant's husband.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that infact the petitioner was under depression as admittedly he had taken a loan from bank, which he could not repay. The learned counsel for the petitioner has further submitted that even the suicide note allegedly written by the deceased cannot be relied upon, as no conclusive opinion has been expressed by the Forensic Science Laboratory regarding its authenticity.

Opposing the petition, the learned State counsel has submitted that since the petitioner has been specifically named in the FIR, no case for grant of bail is made out. It has been informed by learned State counsel that the petitioner is also involved in three other cases pertaining to offences under Sections 420 IPC etc. The learned State counsel has further informed that out of 18 prosecution witnesses, 8 prosecution witnesses including the complainant, have already been examined.

Having regard to the facts and circumstances of the case and while bearing in mind the fact that the petitioner has been behind bars since the last more than eight months and that the trial in its normal course is likely to take some time for its conclusion, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Hardev Singh is ordered to be

released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly.

13.2.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No