

231.

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

CRM-M-25694-2019

Date of decision:04.07.2019

JASVIR SINGH

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Avtar S. Khinda, Advocate, for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

Petitioner, who is husband of the deceased-Devinder Kaur, has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.94 dated 11.09.2018 registered under Section 306 of IPC at Police Station Fattu Dyinga, District Kapurthala.

The marriage between the petitioner and the deceased was solemnized in the year 2010 and out of this wedlock, there are two children i.e. daughter Kanwalpreet Kaur, aged about 7 years, and son Pritham Preet Singh, aged about 5 years. Petitioner is in custody since 30.11.2018.

Counsel for the petitioner has argued that on the relevant date when the deceased committed suicide by consuming poison, the petitioner was out of town and had gone to Ferozepur regarding his job work and, therefore, has no role to play in the commission of crime. The alleged incident took place on 08.09.2018 and the deceased died on 10.09.2018.

The FIR was registered on 11.09.2018 just to harass the petitioner. There is

no abetment at the behest of the petitioner.

Learned State counsel, on instructions from ASI Balbir Singh, has argued that it is due to the circumstances created by the petitioner, the deceased was left with no other option but to commit suicide. Earlier also, the deceased had lodged a case against the petitioner i.e. FIR No.49 dated 15.05.2018 under Section 326 IPC, though in that case, the matter was compromised.

I have heard learned counsel for the parties.

The fact that the petitioner is in custody since 30.11.2018. The marriage between the parties was solemnized in the year 2010 and two children were born out of this wedlock. The culpability of the petitioner is yet to be established in the case. Thus, 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 his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

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

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

04.07.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No