

207-2

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

CRM-M-27261 of 2019

Date of decision: September 11, 2019

Vinod Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. R.K. Sharma, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

Mr. Sunny Singla, Advocate for

Mr. P.P.S. Bajwa, Advocate for the complainant.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner, in FIR No.84 dated 14.05.2019, under Section 306 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station City Rupnagar.

As per prosecution case, due to filthy language uttered by the petitioner as well as his co-accused, deceased committed suicide.

Contentends that petitioner is in custody since 22.05.2019 and after investigation, report under Section 173 of Cr. P.C. has already been submitted against the petitioner, on 26.07.2019. Also contends that there is suicide tendency in the family of the deceased as three of his family members, i.e. Father, Uncle and Sister have already committed suicide.

The above factual position is duly acknowledged by learned State counsel, on instructions from police official present in Court to assist him and also not disputed by learned counsel for the complainant.

Heard both sides and perused the paper-book.

Since the petitioner is in custody since 22.05.2019 and three family members of the deceased have already committed suicide and that is not disputed by learned counsel for the complainant. Charges are yet to be framed, thus, trial will take long time; therefore, this Court is fully satisfied that further incarceration of the petitioner would not serve any purpose.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

September 11, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No