

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

CRM-M-27854-2019

Date of decision:9.7.2019

KABAL SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Satish Sabharwal, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.99 dated 27.6.2015 under Sections 306/34 IPC, Police Station Makhu, District Ferozepur.
2. The FIR came to be lodged at the instance of Inderjit Singh, who has alleged that his uncle Sukhwinder Singh at the time of constructing a house in village had hired the services of Kabal Singh, Sukhdev Singh and Laddu for masonry work. It is alleged that said Kabal Singh had worked for 33 days and had taken an amount of ₹7,000/- in advance and one motorcycle from his uncle. However, thereafter he had not turned up for doing work and later

it was with the intervention of the respectables that Kabal Singh returned the motorcycle. It has further been alleged that Kabal Singh and two other persons however used to harass complainant's uncle Sukhwinder Singh and used to demand money from him and that Kabal Singh had also filed an application in the Labour Court seeking recovery of dues. It has been alleged that the complainant's uncle, Sukhdev Singh having been harassed by the petitioner and being fed up with the harassment, took the drastic step of ending his life. It has further alleged that one day prior to the death of his uncle complainant's uncle in fact disclosed to the complainant that he wished to commit suicide.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that at best it is a case of settlement of some dues on account of services rendered by the petitioner as a mason when the deceased was constructing his house.
4. Opposing the petition the learned State counsel has submitted that since there are specific allegations in the FIR that the petitioner had been mentally harassing the deceased that since the petitioner was earlier declared proclaimed offender, he does not deserve the concession of bail. It has further been informed that the petitioner is not involved in any other case and as on date has been behind bars about 10 months & 17 days and till date only 3 out of 13 cited PWs have been examined.
5. Having considered rival contentions addressed before this Court

and while bearing in mind the custody period of the petitioner and without commenting on the merits of the case, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

(GURVINDER SINGH GILL)
JUDGE

9.7.2019
Gaurav Sorot

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