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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-NO.28496 OF 2019

Date of Decision: 12.07.2019

Balwinder @ Bobby

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE HARI PAL VERMA

Present Mr.Amit Rana, Advocate for the petitioner.
Mr. Harpreet Singh Multani, AAG, Punjab.

HARI PAL VERMA, J (ORAL)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR no.19 dated 27.02.2019, registered under Section 306 IPC (lateron challaned under Sections 305 and 309 IPC), Police Station Sadar Nawanshahar, District SBS Nagar.

As per the FIR, which was registered at the behest of Sarabjit Kaur, who is the mother of deceased Manisha Rani aged about 17 years 7 months, on 26.02.2019 when Manisha Rani after her study in the college had reached home at about 03:30 pm and laid on the cot in the courtyard, Harwinder Singh, who is son of the complainant, came there and informed the complainant that Manisha Rani is vomiting. Seeing the condition of Manisha Rani, the complainant called her brother-in-law (DEWAR) and a vehicle was arranged. Manisha Rani was taken to Harbans Hospital, Nawanshahar where treatment was started. During this period, it came to the notice of the complainant that one boy Bobby son of Kulwinder is also admitted in the same hospital as he has also taken some poisonous substance. The complainant asked from the deceased Manisha Rani what

has happened to her but she did not tell anything. When the complainant was in hospital, the attendants of the boy side were shouting that daughter of the complainant Manisha Rani has taken some poisonous substance which was confirmed by the doctor. Noticing that the petitioner is also admitted in the same hospital, the complainant took Manisha Rani to hospital at Nawanshhar for treatment. When she was taken for treatment, Manisha Rani was talking to the complainant family wherein she has stated that she was incited by the petitioner to consume poison, however, during treatment she died in Hope Hospital, Nawanshahar.

Counsel has argued that the petitioner and the deceased were known to each other and had love affair and wanted to marry but the parents of the deceased Manisha Rani were against this marriage and due to this reason both consumed poison though unfortunately Manisha Rani died but petitioner was saved after much struggle. The petitioner is in custody since 07.03.2019 and trial will take sufficient long time as no prosecution witness has yet been examined.

Learned State counsel, on instructions from ASI Jaswinder Pal Singh has argued that petitioner has abated the deceased to commit suicide, however, there is no dispute that the prosecution evidence has not yet been started.

Heard learned counsel for the parties and perused the case file.

Considering the argument raised by the learned counsel for the petitioner that the deceased and the petitioner were having love affair and the complainant family has opposed this marriage proposal so initiated between the petitioner and the deceased Manisha Rani, the trial in the case will take sufficient long time, 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.

12.07.2019

mamta

(HARI PAL VERMA)

JUDGE

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