

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28473-2019

Date of Decision: 12.07.2019

Kamal Kumar

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Bhupender Singh, Advocate,
for the petitioner.

Mr. Ravi Partap, A.A.G. Haryana.

AMOL RATTAN SINGH, J. (ORAL)

The petitioner seeks the concession of regular bail, upon an FIR having been registered against him and his co-accused, alleging therein the commission of an offence punishable under Section 306 read with Section 34 of the IPC, on account of the death of the husband of the complainant, i.e. of Baljeet, who is stated to have committed suicide on account of the fact that he was allegedly falsely arraigned as the prime accused in an FIR earlier registered at the instance of the sister of the present petitioner, alleging therein the commission of an offence punishable under Section 376 of the IPC.

Learned counsel for the petitioner submits that the petitioner has been implicated only because he is the brother of the complainant in that FIR and he has already remained in custody for more than six months.

Learned State counsel has vehemently opposed the petition, stating that the deceased having committed suicide in the aforesaid circumstances, the

petitioner be not released on bail, until the complainant deposes, with the next date of hearing before the trial Court, i.e. 20.08.2019.

Having consider the matter, considering that the petitioner is the brother of the prime accused in the FIR in question, registered at the instance of the wife of the deceased, with him already having remained in custody for 06 months and 18 days, without making any comment on the merits of the case for or against the petitioner, I consider it appropriate to admit him on bail.

Consequently, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court.

July 12, 2019
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes