

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-43731 of 2019
Date of Decision: 25.11.2019

Binu Mon Mathew

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amaninder Singh Sekhon, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.186 dated 06.08.2019 registered for the offence punishable under Section 306 of Indian Penal Code (for short, "IPC") at Police Station City Faridkot, District Faridkot.

Heard.

Notice of motion.

On asking of the Court, Mr. Amitoj Singh Dhaliwal, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per case of prosecution, one Michal Victor, an employee of World Vision India (NGO) as accountant, committed suicide on 05.08.2019 leaving behind a suicide note indicting petitioner for harassing and compelling him to resign.

Learned counsel for the petitioner submits that the petitioner

was Manager of Faridkot area of World Vision India (NGO). The deceased was an employee of that NGO. Though, the deceased had alleged that he was being harassed by the petitioner for the last three years but no complaint was made by him to higher authorities. The suicide note is yet to be verified. Even otherwise, allegations in the FIR make out no case for abetment to deceased to take extreme step of committing suicide.

Learned State counsel submits that the suicide note has been sent for verification. The deceased has specifically indicted the petitioner in his suicide note. After completion of investigation, challan against the petitioner has been presented in Court and charge has also been framed against him.

It is a case where an employee of World Vision India (NGO) has committed suicide leaving behind a suicide note, alleging therein that he was committing suicide due to his harassment by petitioner. The police after completion of investigation has presented challan against him. The suicide note has been sent for verification and the report has yet not been received.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Binu Mon Mathew is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand

withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.

- (c) He shall not leave the country without the previous permission of the Court.

November 25, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No