

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

252)

Crl. Misc. No.M-51044 of 2019

Date of Decision: 05.12.2019

Gagan Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr.Tanvir Singh Grewal, Advocate, for the petitioner.

Mr.A.P.S.Gill, DAG, Punjab.

Amol Rattan Singh, J. (Oral)

This petition has been filed under the provisions of Section 439 Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No.0077, dated 01.06.2019, registered at Police Station Anaj Mandi, District Patiala(Punjab), for the alleged commission of offences punishable under Section 306 of IPC.

Learned counsel for the petitioner submits that the petitioner having sold his car to the deceased, the allegation is that the petitioner was pressurizing him to pay the remaining money, due to which pressure the deceased committed suicide, whereas actually (as contended), it was his family that was pressurizing him on account of his having bought a car, which he could not afford.

Learned State counsel, on the other hand, on instructions from SI Jaswinder Singh, submits that in fact even a conversation between the deceased and the petitioner has been recorded, with the petitioner found to be threatening the deceased, and therefore, the petitioner does not deserve the concession of bail.

Having considered the matter, without making any comment on the

actual merits of the case, the petitioner already having been in custody for the past

06 months, with only 01 prosecution witness examined out of 13 so far, I consider it appropriate to allow this petition.

Consequently, the present 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/Duty Magistrate concerned.

However, nothing stated hereinabove by this Court shall be taken to be an observation on the merits of the case for or against the petitioner, which would be gone by the trial Court wholly on the basis of evidence led before it.

(AMOL RATTAN SINGH)
JUDGE

05.12.2019

Anjal

Whether reasoned/speaking: Yes
Whether reportable: No