

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

218

CRM-M No.50825 of 2019 (O&M)
DATE OF DECISION : 5th DECEMBER, 2019

Tek Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. B. S. Aulakh, Advocate for the petitioner.

Mrs. Amarjit Kaur Khurana, DAG, Punjab.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.111 dated 21.06.2019 registered under Sections 306, 323, 506 & 149 IPC, at Police Station Lambi, District Sri Mukatsar Sahib.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even during the investigation, the police have not been able to collect any evidence to connect the petitioner with the alleged crime. The only reliance, against the petitioner by the prosecution, was placed upon the alleged suicide note, in which the name of the petitioner was mentioned. However, the FSL report has verified that the handwriting on the suicide note is not the handwriting of the deceased. The petitioner is in custody since 24.06.2019. There is no other case against the petitioner. The petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, counsel for the State, on instructions from SI Khushwant Singh, submits that the petitioner was one member of the group, who had humiliated the deceased in the Panchayat, which was convened in the village. Hence, name of the petitioner has rightly surfaced in the crime. However, it is not disputed that the police have relied upon the suicide note and that the handwriting on the suicide note has not matched with the handwriting of the deceased. It is also not disputed that the petitioner is in custody since 24.06.2019 and that there is no other case against the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

5th DECEMBER, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>