

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

CRM M-46046 of 2018

Date of Decision: November 13, 2019

Singh Ram		Petitioner
	Versus	
State of Haryana		 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Sudhir Paruthi, Advocate
for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

FATEH DEEP SINGH, J. (Oral)

The allegations against accused/petitioner Singh Ram in this first regular bail application moved under Section 439 Cr.P.C. in case FIR No. 76 dated 01.04.2018 under Sections 305, 201, 120-B of IPC and Section 12 of POCSO Act, Police Station Sadar Ambala have come about by Surjit Singh, father of young girl aged around 17 years. It is alleged that the petitioner, who was in possession of a selfie photograph of the daughter of the complainant with another boy had been showing the photograph to his co-villagers and, as a consequence of which, on 31.03.2018, the girl consumed poisonous substance leading to her death and registration of the present case.

Counsel for the petitioner, *inter alia*, contends that the petitioner is behind the bars for about 1½ years and that

there is nothing suggestive of the fact that the petitioner was responsible for abetting this suicide.

Mr. Baljinder Virk, DAG, Haryana on instructions from ASI Vijay has opposed the bail on the ground that the trial is under way and if allowed bail, the petitioner might influence the trial.

Appreciating the submissions of the two sides, admittedly, the petitioner is behind the bars for a long time and a debatable issue arises over the very applicability of offence of abetment to suicide, which can only be adjudicated at the time of the trial and in the light of the same, this Court is of the opinion that it is a fit case for grant of bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed of.

November 13, 2019

amit rana

(FATEH DEEP SINGH)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No