

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

CRM-M-5189-2020

Date of decision: 28.2.2020

JOBANDEEP SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Gursimran Singh Jossan, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.40 dated 7.5.2019 at Police Station Sadar Zira, District Ferozepur under Sections 306 and 34 of Indian Penal Code.
2. The FIR was registered at the instance of Chamkaur Singh, wherein it has been alleged that his daughter Manpreet Kaur was married about two years back to Jobandeep Singh. It is alleged that complainant's son-in-law Jobandeep Singh was, however, having an extra-marital affair with one Komal due to which his daughter came back to her paternal home about 15 days back. Later she was taken back to her matrimonial home by Jobandeep Singh. It is further alleged that Jobandeep Singh, however, continued with his extra-marital relations with Komal and when the complainant's daughter objected to the same, he used to give beatings to her. Ultimately being fed up, she committed suicide.

3. Learned counsel for the petitioner submitted that even if the allegations as levelled in the FIR are taken to be correct, still it cannot be said that the petitioner has abetted the suicide of complainant's daughter. Learned counsel has further submitted that in any case since the complainant has been examined, his further detention will not serve any useful purpose especially since co-accused has already been granted bail.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is main accused, no case for grant of bail is made out. It has however been informed that the petitioner has been behind bars since last 9 months and the complainant has already been examined.
5. I have considered rival submissions addressed before this Court. It will be debatable as to whether the factum of the petitioner having an extra-marital affair can be said to be sufficient to abet the complainant's daughter (wife of the petitioner) to commit suicide or not. In any case, since the petitioner has been behind bars since last 9 months, further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to take some time.
6. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

28.2.2020
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**