

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

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**CRM-M-5940-2020
Date of Decision : 04.03.2020**

Usha and anotherPetitioners
Versus
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Vivek Singla, Advocate
for the petitioners.

Mr. Sandeep Singh Deol, D.A.G. Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J. (Oral)

The petitioners have filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.0170 dated 10.10.2019 registered under Sections 306 and 149 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Jaito, District Faridkot.

The above-said FIR was lodged by Sheena who alleged in her statement that they are two sisters and one brother. Her sister Nooran was married with Sukhwinder Singh and her brother Buta Singh was married with Neetu for the last 13/14 years. She got divorce from her husband Mangu about 10 years back. Her brother Buta Singh had three children. Her brother Buta Singh had dispute with his wife due to which her sister-in-law Neetu left the matrimonial home and did not come back despite efforts made in Panchayat. Her brother Buta Singh became mentally upset and committed suicide on 10.10.2019. Ramesh Kumar father-in-law, Kaushalya mother-in-law, Veeru brother-in-law, Usha sister-in-law were not allowing Neetu to settle in her matrimonial home due to which her brother Buta Singh committed suicide. The police investigated the case and filed charge-sheet against all the above-said persons. The petitioner being in custody since 11.10.2019 has sought grant of regular bail.

Learned State Counsel has appeared and opposed the petition.

I have heard learned Counsel for the petitioners and learned State Counsel and gone through the record.

Learned Counsel for the petitioners has argued that the petitioners have been falsely implicated in the present case. General and vague allegations have been made against the petitioners. There was no abetment on the part of the petitioner for Buta Singh to commit suicide. Trial is likely to take long time and no useful purpose will be served by keeping the petitioners in custody. Therefore, the petitioners may be ordered to be released on regular bail.

On the other hand, learned State Counsel has argued that the allegations against the petitioners are serious. In view of gravity of offence committed, the petitioners do not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioners, period of their custody, the fact that trial is likely to take long time and that further detention of the petitioners in custody, not being punitive, will not serve any useful purpose but without commenting on merits of the case, I am of the considered view that the petitioners deserve the concession of regular bail.

Therefore, the petition is allowed and the petitioners are ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

04.03.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No