

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8528-2020 (O&M)
Date of decision: 03.03.2020

Sunny Pabbi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vaibhav Sehgal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.285 dated 10.12.2019 under Sections 306/34 IPC, registered at Police Station Haibowal, District Ludhiana.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Suresh Pal-father of deceased, he is a daily-wager and previously an FIR No.185 dated 02.09.2019 under Sections 307, 341, 324, 323, 506, 427, 148, 149 IPC was got registered by Shanky son of Kala against his son Akshay and others. In the said FIR, Akshay was granted interim bail by this Court on 26.11.2019, in which the next date was 17.01.2020. It is further submitted that the accused persons in the present FIR were threatening his son Akshay that they will not allow him to join the investigation and on that account, he remained depressed for 2-3 days and on inquiry, he disclosed to the complainant that the accused persons are threatening him and thereafter, he committed the suicide. It is also submitted

that the deceased was an accused in the aforesaid FIR No.185, which was registered at the instance of Shanky, wherein the petitioner is a victim, who has suffered grievous injuries. Learned counsel has relied upon MLR of the petitioner dated 14.09.2019, on the basis of which, FIR No.185 was registered.

Learned counsel for the petitioner has further submitted that there is no direct allegation against the petitioner of extending any threat, as he himself is a victim and was under treatment at the relevant time. It is further submitted that the petitioner is in custody since 17.01.2020; he is not involved in any other case and is no more required for further investigation.

Learned State counsel, on instructions from ASI Dildar Singh, has not disputed the fact that the petitioner is a victim in FIR No.185, wherein deceased was an accused. Learned State counsel has submitted that as per statements of Sanjay and Karan, who are brother and friend of deceased, who have stated that the deceased has narrated the incident of extending threat to him by the accused persons.

Without commenting anything on merits of the case, considering the arguments raised by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

03.03.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No