

Date of Decision: 14.05.2020.

....Petitioner

State of Punjab

....Respondent.

Present: Mr. Gaurav Chopra, Advocate
for the petitioner.

Lalit Batra, J.(Oral)

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Harmandeep Singh** in case F.I.R. No.99 dated 13.07.2019 under Section 306 IPC registered at Police Station Shimlapuri, District Police Commissionerate Ludhiana.

Notice of motion.

Mr. H. S. Sullar, DAG, Punjab, accepts notice on behalf of respondent-State. Complete copy of paper book has already been supplied to him.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that as a matter of fact Jasbir Kaur (since deceased) was highly temperamental in nature and could not adjust herself in the matrimonial

home and due to said temperament she had left her matrimonial home. He further submits that admittedly at the relevant time Jasbir Kaur (since deceased) was living at her parental home. He further urges that even otherwise allegations as set up in the FIR do not tantamount to instigation on the part of petitioner to commit suicide by Jasbir Kaur. He further urges that alleged suicide notes rendered by Jasbir Kaur (since deceased) do not come to the rescue of prosecution as in terms of FSL Report, no definite opinion can be given whether suicide notes were authored by the deceased or not. He further urges that co-accused namely Balwinder Kaur and Manjinder Singh, parents of petitioner, have already been granted concession of bail by this Court. He further submits that petitioner is in custody since 13.07.2019 and he is no more required by the Police for any investigation purpose. He further urges that challan has already been presented in the Court and trial has already commenced since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into

consideration the fact that petitioner is in custody since 13.07.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in the Court and trial has already commenced and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Harmandeep Singh** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Chief Judicial Magistrate/Trial Court, Ludhiana, as the case may be. However, petitioner has been given liberty to defer the furnishing of surety bond due to COVID-19 and he is directed to furnish the surety bond to the satisfaction of Chief Judicial Magistrate/Trial Court, Ludhiana, as the case may be, on culmination of nationwide lockdown due to COVID-19.

(LALIT BATRA)
JUDGE

14.05.2020

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