

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

208

**CRM-M-12917-2020 (O&M)
Decided on : 08.06.2020**

Gurcharan Singh @ Money

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Sukhmeet Singh, Advocate for the petitioner.

Mr. SPS Tinna, Addl. AG, Punjab.

Mr. Amninder Sekhon, Advocate for the complainant.

(The aforesaid presence is being recorded through video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

In the present petition filed under Section 439 Cr.P.C., the petitioner is seeking concession of regular bail in case FIR No.214 dated 02.09.2019 under Sections 306 and 34 of registered at Police Station City Faridkot, District Faridkot.

The petitioner has been named in the FIR by Kuldeep Singh cousin of the deceased, who is a resident of Muktsar Sahib. He stated that when he visit the house of the deceased at Faridkot, he stated that he is upset on account of his wife Sandeep Kaur being habitual of consuming intoxicants and also forcing him to consume such intoxicants. She would come back home late night and she had stopped caring about others. She had also developed illicit relations with a boy who was residing in the opposite house, who is the petitioner. The deceased thereafter had gone

missing on 31.08.2019 and his dead body was fished out from the river. In such circumstances, the petitioner has also been involved in the FIR..

The bail application has been declined by the Additional Sessions Judge, Faridkot on the ground that the deceased was compelled to commit suicide by the accused-petitioner.

Counsel for the petitioner has submitted that the main accused Sandeep Kaur the wife of the deceased has been released on bail in CRM-M-47347-2019 on 15.01.2020.

Counsel for the State and the complainant have opposed the bail and submitted that she being a lady having a minor child of 6 years and challan having not been framed, had been the reason for grant of bail in her case. It is submitted that the statements have been recorded thereafter wherein the petitioner is alleged to have forced the deceased to commit suicide.

The petitioner is in custody since 21.01.2020. The main accused Sandeep Kaur having been released on bail, this Court is of the opinion that the petitioner cannot be put at a lower pedestal in any manner. The trial will take some time and it would be moot question as to the issue of abetment of suicide qua the petitioner.

Accordingly, the bail application is allowed. The petitioner shall be released on bail on furnishing of bail bonds/sureties to the satisfaction of the Trial Court/Duty Magistrate, Faridkot.

The court fees/process fee/Advocate Welfare Stamp shall be deposited the moment the instructions are modified as such and physical

presence is allowed. It is made clear that in case the needful is not done, the order shall be liable to be recalled at the detriment of parties.

June 08, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No