

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

(Heard through VC)

CRM-M-13091 of 2020 (O&M)
Date of Decision: June 15, 2020

Gurpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jagtar Singh Sidhu, Advocate
for the petitioner.

Mr. Gaurav Dhuriwala, Sr. DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.241 dated 28.10.2019, under Sections 306, 304-B of Indian Penal Code, registered at Police Station Tripari, District Patiala.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 28.10.2019. It is argued that the allegations as set out in the FIR are wholly false and that the petitioner had no role to play in the suicide that had been committed by his wife, who was none other than the sister of the complainant. Learned counsel for the petitioner categorically states that as per the medical report available with him, there are no injuries reflected on the body of the

deceased, which could have been attributed to him, having abetted the suicide. After reading the medical report, learned counsel submits that in the column of ligature mark, there is no indication of any injury.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, would submit that marriage between the parties was only of a very short duration and there is a categorical averment in the FIR that there is an abetment to commit suicide, and therefore, the petitioner ought not to be allowed regular bail.

I have heard learned counsel for the parties.

Admittedly, the statement of the material witness i.e. the complainant has been recorded wherein, he has not supported the version of the prosecution and this fact has been noticed by the Addl. Sessions Judge, Patiala, while declining the bail application of the petitioner on the ground that other witnesses are yet to be examined. However, this court deems it appropriate to allow regular bail to the petitioner, in view of the fact that the petitioner herein has been in custody since 28.10.2019 and that the complainant has turned hostile. Moreover, given the Covid-19 pandemic situation, the courts are not functioning at full strength and it will take sufficient time to conclude the trial, as such, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the

purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

June 15, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No