

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-16090-2020

DATE OF DECISION: JULY 24, 2020

SATNAM SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. G.S. SANDHU, ADVOCATE FOR THE PETITIONER.
MR. HARMANDEEP SINGH SULLAR, DAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

Petitioner Satnam Singh has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.0126 dated 14.11.2019, under Section 304-B IPC, Police Station Kulgari, District Ferozepur. The petitioner is in custody since his arrest on 16.11.2019.

The allegations contained in the FIR as noticed by the Sessions Judge, Ferozepur, in his order dated 21.4.2020, are as under:-

“The present case has been registered on the basis of the statement of Mehal Singh complainant wherein it is alleged that marriage of his daughter Harmit Kaur was solemnized with Satnam Singh applicant about 2½ years back and one son namely Jaskaran Singh was born to them about 1½ years back. His son in law is posted as Postman in the post office and handicapped from his right leg. Satnam Singh, often used to tell Harmit Kaur to bring Rs.One lac from them as he wanted to purchase a car. Their daughter disclosed about this demand to them while coming to their house. Then, he and his wife entreated with the applicant-accused that he is poor man

and is unable to fulfill his demand and due to this reason, his son in law used to remain angry with them and started quarreling with Harmit Kaur. As and when their daughter used to tell them telephonically regarding the conduct of the applicant, they always tried to persuade him not to raise such demand and to save his matrimonial life. Last Tuesday, his daughter and son in law came to them at village Gatti Rajo Ke. His son in law repeated the said demand of money and his daughter also told her mother that Satnam Singh used to harass her due to said demand and she is fed up with his behavior and she will end her life. On the same evening, they went back. Next day, in the morning, at about 5.00 AM, Satnam Singh informed their relative Rajna wife of Gurmit Singh of their village that Harmit Kaur has committed suicide by way of hanging in the room. On coming to know, he along with his wife went to village Kasu Begu and saw that dead body of Harmit Kaur was lying on the cot in the court yard of the house and there were marks on the neck of Harmit Kaur. He has full belief that Harmit Kaur has committed suicide being fed up from the daily quarrel of Satnam Singh on account of non fulfillment of demand of money of Satnam Singh.”

Learned counsel for the petitioner contends that the wife of the petitioner voluntarily ended her life by hanging on 14.11.2019, as she was unhappy with the wedding, as the petitioner is a handicapped person. He has pointed out that the sole allegation levelled against the petitioner is regarding demand of ₹1 lakh for the purchase of car by the petitioner and the FIR lacks relevant particulars regarding the alleged demand. According to him, the investigation of the case is complete and the petitioner is the sole accused and therefore, further custody of the petitioner may not be

necessary. He submits that the trial of the case is likely to consume considerable time. He prays that the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned counsel for the State assisted by ASI Raj Singh has opposed the aforesaid prayer on the ground that the complainant (father of the victim) has levelled specific allegations regarding demand of dowry. Learned State counsel has not disputed the fact that the investigation of the case is complete, however, according to him, the case is yet to be committed to the Court of Sessions for trial. He, on instructions, fairly states that the petitioner is a handicapped person.

Considering the above, this Court is of the opinion that the investigation of the case is complete, but trial of the case is likely to consume considerable time in the wake of outbreak of global pandemic, namely, COVID-19 in the region as certain restrictions have been imposed by State Government and District Administration in order to curb its spread, therefore, further custody of the petitioner may not be justified. The petitioner is presently confined in judicial custody and is not required for any useful purpose. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

July 24, 2020
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No
Whether Speaking/Reasoned : Yes/No