

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-14780-2020(O&M)

Date of Decision: 25.06.2020

Puran Singh @ Sampuran Singh

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Ruby Kaur, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 439 Cr.P.C seeking benefit of regular bail to the petitioner in case FIR No.156 dated 5.10.2019 registered under Section 306 I.P.C at Police Station, Dasuya, District Hoshiarpur.

Counsel for the parties have been heard.

Process of law was set in motion on the basis of a statement of Rajwinder Kaur in relation to her mother Amarjeet Kaur having committed suicide by burning herself on 5.10.2019.

As per version of the prosecution the present petitioner as also one Narender Singh had borrowed Rs.1,10,000/- from Amarjeet Singh and Rs.3 lakh from Balwant Singh and in such transactions the deceased Amarjeet Kaur had been introduced as a guarantor. It is alleged that the deceased mother Amarjeet Kaur had been insisting upon the petitioner to return the money but in turn was given threats and on account of which

under stress Amarjeet Kaur had taken the extreme step of burning herself.

Counsel for the petitioner has strenuously argued that even from reading of the complaint no overt act has been attributed to the petitioner and which may be construed for ingredients for offence under Section 306 I.P.C to be made out.

Petitioner is stated to be aged 75 years.

Investigation in the present case has already been completed and challan presented on 2.3.2020.

Petitioner has faced incarceration since 5.1.2020.

Trial is at the very initial stage as out of 15 prosecution witnesses cited none has been examined till date.

In the backdrop of the submissions advanced by counsel, keeping in view the length of incarceration already suffered, the advanced age of the petitioner and the fact that the trial would take time to conclude, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Hoshiarpur.

It is, however, made clear that the observations contained in this order would have no bearing on the merits of the trial.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.06.2020
lucky

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