

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

CRM-M-15968-2020

213

Date of Decision:06.07.2020

Jagtar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Kanwaljeet Singh Brar, Advocate,
for the petitioner.**

Mr. Amit Mehta, Sr. D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.0012 dated 28.01.2019 under Section 306 IPC, registered at Police Station City Kotkapura, District Faridkot.

Learned counsel for the petitioner refers to the statement of PW-01-Ajit Kumar, who is complainant in the case and contends that the complainant has not supported the case of the prosecution, rather turned hostile. Similarly, PW-02-Sikander, who is cousin of the deceased-Sangita, has also not supported the case of the prosecution. Petitioner is in custody since 15.10.2019. The deceased-Sangita, who was married with the complainant and was mother of two children, had died on 27.01.2019. The allegation against the petitioner are that he had extra marital relations with

the deceased and he was black-mailing her for continuing physical relations with him(petitioner) and fed up with the black-mailing at the behest of the petitioner, she consumed poison and committed suicide.

Learned State Counsel does not dispute the custody period of the petitioner and submits that the allegations against the petitioner are serious. The deceased committed suicide consuming by poison as she was fed with the black-mailing at the behest of the petitioner.

Heard learned counsel for the parties.

Petitioner is in custody since 15.10.2019. PW-01-who is complainant in the case and husband of the deceased as well as PW-02 have not supported the case of the prosecution, rather turned hostile. In this manner, culpability of the petitioner is yet to be established during the course of trial. Moreover, trial in the case is not likely to be concluded in the near future. Thus, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

July 06, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No