

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

CRM-M- 15908-2020 (O&M)

Date of Decision: July 06, 2020

Ram Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, 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. 303 dated 08.11.2019, under Sections 306, 34, 201 IPC and later on added Section 304-B IPC registered at Police Station Dera Bassi, SAS Nagar Mohali.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 08.11.2019. It is further contended that a detailed FIR had been registered on 08.11.2019 under Sections 306, 34, 201 IPC in which there were general allegations that the petitioner herein was harassing the daughter of the complainant however there was a detailed statement given that his son-in-law Jaspal

Singh -husband of the deceased daughter did not allow her to talk to her parents and did not allow her to meet them. There was a further statement that Jaspal Singh had neither purchased mobile phone for their daughter nor did he allow the deceased to keep mobile given by them. A statement was also made that their daughter had committed suicide by pouring kerosene oil upon herself and her minor daughter as she was upset. Learned counsel further submits that a similar statement had been recorded under Section 161 Cr.P.C. of Manmohan Singh, who is cousin of the deceased and nephew of the complainant to the effect that Jaspreet Kaur -deceased had poured kerosene oil upon herself and her minor daughter and committed suicide. It is only on a supplementary statement suffered on the subsequent date that there has been a separate version set up, that the daughter of the complainant was being harassed and taunted for bringing less dowry. The supplementary statement changed the initial statement suffered that the deceased had committed suicide. It is argued that the statement of the Manmohan Singh still stands to the effect that the deceased committed suicide. It is argued that the challan has already been presented after due investigation while contending that the petitioner is 58 years old and is entitled to be released on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, however, does not dispute the fact that the challan stands presented.

I have heard learned counsel for the parties.

Since, in view of the restricted working of the Courts due to

pandemic COVID-19 situation, the trial is likely to take time and the petitioner is a 58 years old person has been in custody since 08.11.2019, no useful purpose would be served in keeping the petitioner behind bars. In any case the main accused namely the husband of the deceased is still in custody. 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 bail on his execution of adequate personal and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

July 06, 2020
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No