

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

**AT CHANDIGARH**

**Criminal Misc. No.M-23021 of 2020**

**Date of Decision: 09.11.2020**

Kuldeep Singh

...Petitioner (s)

Versus

State of Punjab

...Respondent(s)

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

Present:- Mr. Rakesh Gupta, Advocate  
for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

Mr. Vishal Goyal, Advocate  
for the complainant.

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**HARI PAL VERMA, J. (Oral)**

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

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.106 dated 03.12.2019 under Section 306 IPC (Section 302/34 IPC being deleted and Section 306 IPC being added later on) registered at Police Station Kheri Gandain , District Patiala.

Learned counsel for the petitioner has argued that the story as projected by the complainant is aimed at falsely implicating the petitioner being husband of the deceased. In fact, the deceased has committed suicide,

as she was fed up of abject poverty. There is nothing on record to show that the petitioner has played any role in causing any harassment to the deceased. Even otherwise, the marriage of the deceased was solemnised with petitioner about 6/7 years prior to the alleged occurrence and there are two children out of this wedlock, who are staying with the family of the petitioner. Initially, the case was registered under Sections 302/34 IPC, but the police after investigation, deleted the said sections and substituted the same with Sections 306 IPC. The petitioner is in custody since 05.12.2019.

Learned counsel for the complainant has opposed the bail application on the ground that the petitioner was instrumental in causing death of the deceased, as it was the petitioner who compelled her to take such an extreme step.

Learned State counsel has argued that the deceased has died due to asphyxia by hanging. The petitioner was instrumental in causing death of the deceased, as he had created such like circumstances leaving no other option for the deceased, but to commit suicide.

I have heard learned counsel for the parties.

The petitioner is stated to be in custody since 05.12.2019 and no witness has been examined in the case so far. Even the charges have not been framed. Initially, the case was registered under Sections 302/34 IPC, but after investigation, offence under Section 302/34 IPC has been deleted and Section 306 IPC has been added. Considering the fact that the petitioner is in custody since 05.12.2019 and no witness has been examined and trial in the case will take sufficient long time, this Court deems it appropriate to release the petitioner on regular bail.

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

November 09, 2020  
**AK**

**( HARI PAL VERMA )**  
**JUDGE**

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No