

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-23198-2020 (O&M)**

Sawinder Singh @ Bhinda

...Petitioner

Versus

State of Punjab

...Respondent

CRM-M-27339-2020 (O&M)

Amarjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

Date of Decision: 10.12.2020**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Arjun Veer Sharma, Advocate, for the petitioner
in CRM-M-23198-2020.Mr. Prateek Gupta, Advocate, for the petitioner
in CRM-M-27339-2020.Mr. Avtar Singh Sandhu, Addl. AG, Punjab,
assisted by ASI Karamjit Singh.

Mr. Jasbir Singh Mohri, Advocate, for the complainant.

*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose off the aforesaid two petitions filed on behalf of Sawinder Singh @ Bhinda and Amarjit Kaur seeking grant of regular bail in respect of a case registered vide FIR No.89 dated 27.07.2019 at Police Station Machhiwara, Khanna, Ludhiana, under Sections 306 and 34 IPC.

2. The FIR in question was lodged at the instance of Jajh Singh, wherein it is alleged that his son Satnam Singh was married to Manjot Kaur in February, 2019. It is alleged that somehow the petitioners, who are father-in-law and mother-in-law of complainant's son used to interfere in their household unnecessarily and used to taunt complainant's son Satnam Singh by stating that he is a *Khusra* (Transgender) and was not capable of begetting a child on account of which their daughter had not conceived. It is alleged that complainant's son being fed up on account of such taunts ultimately ended his life by consuming insecticide.
3. Learned counsel for the petitioners has submitted that the present case at best is a case of suicide simplicitor and that by no stretch of imagination it can be said that the petitioners had abetted commission of suicide who were staying separately and would not have been in a position to influence or abet the deceased in the manner alleged in the FIR.
4. Opposing the petition, learned State counsel assisted by the counsel for the complainant has submitted that since the petitioners are specifically named in the FIR and their names also figure in the suicide note, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioners as on date have been behind bars since the last 6 months and that challan already stands presented and that they are not wanted in any other case.
5. Having regard to the facts and circumstances of the case and the nature of allegations, it would be debatable as to whether it is

indeed a case where the petitioners can be said to have abetted the suicide committed by the complainant's son or not. In any case since the petitioners have been behind bars since the last 6 months and trial is yet to commence, further detention of the petitioners will not serve any useful purpose as the conclusion of trial will take some time. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

10.12.2020

Vimal

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**