

CRM-M-30380-2020

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

CRM-M-30380-2020

Date of Decision: October 6th, 2020

Ramphal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present Mr. Lalit Singla, Advocate
 for the petitioner.

Mr. A.S. Sandhu, Addl.A.G., Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.57, dated 16.03.2020, registered at Police Station Lehra, District Sangrur, under Sections 307 and 34 of the Indian Penal Code (Sections 302 and 306 of IPC were added later on).

It is the contention of the learned counsel for the petitioner that the at the time of alleged occurrence i.e. 14.03.2020 at 5:00 PM, when the wife of the petitioner, namely Sona Rani poured kerosene oil on herself and burnt herself, the petitioner was not present in the house. As per the enquiry report and the challan presented, petitioner and his deceased wife Sona Rani had a fight in the morning and the petitioner had left the house. In the evening, the deceased wife committed suicide. Assertion has also been

made that the petitioner had been accompanying his wife after her admission in the hospital and thereafter, in the PGI. Petitioner is in custody since 01.05.2020 when he surrendered before the police authorities. Petitioner has two children i.e. a son of three years and a daughter of one year. Prayer has, thus, been made that the petitioner be granted the concession of bail as the trial is to take a long time because of the prevailing circumstances.

On the other hand, learned counsel for the State asserts that the death has occurred in the house of her in-laws within a period of 4½ years of the marriage. He asserts that the petitioner had mortgaged the *istridhan* including gold ornaments of his wife for buying a tractor, which was the cause of the discord leading to the regular quarrels between the petitioner – husband and deceased – wife, the incident would not have taken place. He, however, could not dispute the fact that at the time when the incident had taken place, petitioner was not in the house.

I have considered the submissions made by the learned counsel for the parties and keeping view the fact that at the relevant time, when the incident had taken place, when wife of the petitioner, namely Sona Rani had poured kerosene oil on herself and put herself on fire as also the fact that the petitioner is in custody since 01.05.2020, with the trial not likely to proceed in near future because of the restricted mode of working of the Court in the prevailing pandemic and above all two minor children to be taken care of, this criminal miscellaneous petition is allowed.

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The petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Sangrur.

Any observation made herein-above shall have no bearing on the merits of the case during the trial in any manner.

October 6th, 2020
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

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