

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

CRM-M-35405-2020 (O&M)

Date of Decision: 09.11.2020

Ramesh Singh

... Petitioner

versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Narender Singh Kamboj, Advocate
for the petitioner.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of the COVID-19 pandemic.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 60 dated 03.08.2020, under Sections 306/34 IPC, registered at Police Station Sadiq, District Faridkot.

Notice of motion.

Mr. M.S.Nagra, AAG, Punjab, accepts notice on behalf of the respondent-State. Custody certificate of the petitioner has been sent through E-mail, hardcopy whereof has been placed on record.

Heard on the petition.

The aforesaid case was registered on the instance of complainant-Sukhdeep Singh, on the allegations that he was living alongwith his brother in the house while having separate portion. On the day of Raksha Bandhan, they did not go to their work place. His brother

Harjeet Singh got married with Seeta Kaur, daughter of Bhola Singh, about

10 years ago and three children were born from the said wedlock. On account of dispute between Seeta Kaur and Harjeet Singh, Seeta Kaur had gone away to her parental house, about 10 days prior the occurrence in question. It is also the version of the prosecution that said Seeta Kaur was having illicit relation with one Anna Singh, son of Nachattar Singh of their Village Deep Singh Wala, who used to visit house of Seeta Kaur, in the absence of her husband (also in the absence of the complainant). This illicit relationship was stated to be cause of dispute between Seeta Kaur and her husband. Also, it is stated that Harjeet Singh had brought to the notice of his father-in-law Bhola Singh and brother-in-law Ramesh Singh (present petitioner) about the conduct of Seeta Kaur, but however, they sided with Seeta Kaur and abused complainant's brother. Due to this illicit relationship of Seeta Kaur, complainant's brother-Harjeet Singh had committed suicide.

Now, it is submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. The deceased got married to the sister of the petitioner, about 10 years ago. Apart from the statement of the complainant, there is nothing, as such, coming on record, about any involvement of the petitioner qua the suicide committed by Harjeet Singh. As such, a prayer has been made for grant of bail to the petitioner.

On the other hand, learned State counsel has refuted the claim of the petitioner. He submits that there was abetment at the instance of the petitioner qua suicide committed by Harjeet Singh, as the petitioner and his father had abused the deceased.

Apart from the statement of the complainant, on the basis

whereof, case was registered, there is no such material brought on record by the prosecution about the abetment to suicide at the instance of the petitioner.

Keeping in view the aforesaid fact situation, without dilating on merits of the case, I deem it appropriate to grant regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

November 09, 2020
Parveen Sharma

(ARCHANA PURI)
JUDGE