

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2020/11/12 20:30
I attest to the accuracy and
authenticity of this document

CRM-M-36153-2020

Date of decision : 12.11.2020

Manoj Kumar

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. R.S. Dhaliwal, Advocate
for petitioner.

Mr. Rana Harjasdeep Singh, DAG Punjab.

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HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID 2019.

This is a petition filed under Section 439 Cr.P.C. for grant of bail in case FIR No. 68, dated 19.6.2020, registered under Section 306 IPC (Section 34 IPC added later on) at Police Station Sadar, Faridkot.

FIR was lodged on the statement of one Dalbir Singh stating that his son Kulwinder Singh was married to Muskan Kaur, daughter of petitioner. It was further alleged that in laws of son of complainant often used to harass him. The daughter in law of complainant used to fight with son of complainant. On the day of incident, petitioner, his wife Ashu accompanied with other relatives had come to house of complainant at about 11.00 am. Just after their come, Ashu, mother in law of son of complainant started saying that he was impotent. Petitioner and other accompanied relatives stated abusing them and stated that they will take their daughter with them. Ashu, mother in law of son of complainant twice slapped the complainant and all these persons gave beatings to complainant and his son. Because of this insulting behaviour of accused, son of complainant could not tolerate it and consumed poison because of which he died.

Learned counsel for petitioner has argued that offence under Section 306 IPC is not made out. He states that petitioner is in custody since 19.6.2020.

Investigation in case is complete and challan has been filed. However, trial of case has not made any headway because of COVID 2019.

In view thereof, no useful purpose will be served by detaining petitioner behind bars till the conclusion of trial. Accordingly, petition is allowed. Petitioner Manoj Kumar is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

12.11.2020

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No