

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

208

CRM-M-33199-2019 (O&M)

Date of decision : 31.07.2020

Dilbagh Singh @ Bagga

.....Petitioner

Versus

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Mohit Garg, Advocate
for the petitioner.

Mr. P.S. Walia, AAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

CRM-418-2020

Learned Counsel for the petitioner does not to press the present application.

Dismissed as not pressed.

CRM-M-33199-2019

The petitioner has filed present petition under Section 439 of the Cr.P.C. for grant of regular bail to him in case FIR No.62 dated 16.03.2019 registered under Section 306 of the Indian Penal Code, 1860 at Police Station Moti Nagar Ludhiana.

The above-said FIR was registered on statement of Surinder Pal who alleged that on 10.03.2019 his daughter Monika committed suicide by jumping into the canal due to harassment and beating by her husband-petitioner for not meeting his dowry demands.

The petitioner, who is in custody since 23.03.2019, has filed the present petition for grant of regular bail.

Petition has been opposed by learned State Counsel. However, no reply has been filed by respondent-State.

Custody certificate has been filed by learned State Counsel through e-mail print out of which is taken on record.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. Wife of the petitioner is alleged to have committed suicide by jumping into the canal due to the harassment and maltreatment on the part of the petitioner but her dead body was not recovered. False allegations have been made in the FIR that the petitioner used to beat his wife and turn her out of the matrimonial house and make dowry demands. The petitioner did not abet commission of suicide by his wife as alleged. The petitioner has two daughters and one son who were earlier looked after by his mother but due to her old age they have been sent to the care of shelter home. The petitioner has to look after them. The trial is likely to take long time due to restrictions imposed to prevent the spread of infection of Covid-19. No useful purpose will be served by detention of the petitioner in custody during trial. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State Counsel has argued that in view of gravity of offence committed, the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner and the fact that trial is likely to take long time due to restrictions imposed to prevent spread of infection of Covid-19 but without commenting on the merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of requisite bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

31.07.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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