

CRM-M-49719 of 2019

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

CRM-M-49719 of 2019
Date of Decision: 28.01.2020

Harpal Singh and others

...Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Ms. Taranjit Kaur Hundal, Advocate, for the petitioner.
Mr. N.K. Banka, DAG, Punjab.
Mr. Ravi Malhotra, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Complete copy of FIR, which was inadvertently not filed earlier, filed in Court today is taken on record. Be tagged at appropriate place.

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioners, namely, Harpal Singh, Santosh and Satpal in a case arising from FIR No.0069 dated 29.04.2019 registered under Section 306 IPC at Police Station Division No.6, Jalandhar.

According to the prosecution, on 29.04.2019 Shanty son of the complainant committed suicide at Jalandhar, leaving behind a suicide note, which did not find mention the names of the petitioners, responsible for his suicidal death. Deceased simply mentioned that he was committing suicide on account of torture by 'Dondia family'.

Learned counsel for the petitioners *inter alia* contends that

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entire case is based on circumstantial evidence. There is no direct evidence as on date against the petitioners. Four co-accused of the petitioners, namely, Suraj Bhan and Rashpal (CRM-M-35722 of 2019) and Deepak Kumar and Raghuvir Singh (CRM-M-35623 of 2019) have been granted regular bail by a Co-ordinate Bench of this Court vide orders dated 08.11.2019, respectively. Petitioners are in custody since 30.04.2019. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioners in jail any more. Treating the case of the petitioners on the same parity as that of their co-accused, they may also be granted regular bail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioners.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Treating the case of petitioners namely, Harpal Singh, Santosh and Satpal, on the same parity as that of their aforesaid co-accused, they are ordered to be released on bail during pendency of trial, if not required in any other case, on their furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

January 28, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No