

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-264-2021(O&M)
Decided on : 16.02.2021

Gurmeet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Shiv Kumar Sharma, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. Surinder Garg, Advocate
for the complainant.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.63 dated 01.08.2020 registered under Sections 306 IPC,1860 at Police Station Sherpur District Sangrur (Annexure P-1).

Learned counsel for the petitioner inter alia contends that perusal of the allegations levelled against the petitioner make it evident that totally false allegations have been levelled against him without there being any qualitative evidence much less legal evidence against him. It has further been submitted that essential ingredients to attract the mischief of Section 306 IPC is clearly amiss in the case in hand. The petitioner has been in custody since 23.12.2020 and only challan has been presented as on date in the FIR in question, hence, there is no likelihood of trial concluding in the near future. It has also been submitted that similarly situated co-accused Nirbhai Singh has been extended the concession of regular bail by

this Court vide order dated 11.02.2021.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from ASI Avtar Singh has admitted that the co-accused Nirbhai Singh, who has been extended the concession of regular bail by this Court, is similarly situated as the present petition. Learned State counsel has very fairly admitted that general allegations have been levelled against the petitioner of abetting the suicide of the deceased.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 23.12.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

16.02.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No