

**116+213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-6343-2021 (O&M)

Date of Decision: 22.7.2021

Satinderpal Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Preetinder S. Ahluwalia, Advocate, for the petitioner.

Mr. M.S. Nagra, Assistant Advocate General, Punjab.

Mr.Rajnikant Upadhyay, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

CRM-21130-2021

The application is allowed. Annexures R-1 and R-2 are taken on record.

CRM-M-6343-2021

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.126 dated 6.7.2020 under Sections 306/34 IPC registered at Police Station Sadar Patiala, District Patiala.

It has been contended by learned counsel for the petitioner that the petitioner before this Court is brother-in-law (Devar) of deceased-Davinder Kaur. He contends that the marriage of the deceased took place on 24.2.2019 and death on 6.7.2020. A perusal of the postmortem report shows that the cause of death was asphyxia due to hanging and there were no

injuries. He further drawn my attention to the alleged suicide note on the basis of which the present FIR was got registered. The same does not contain any allegations against the petitioner except by mentioning that the deceased had apprehension that one day her husband and in-laws would kill her. He has submitted that on the basis of such allegations, even if, taken to be true, no offence under Section 306 IPC i.e. abetment to the suicide can be made out. He further contends that the petitioner is behind bars from 9.7.2020 and there is no other case against the petitioner. All the family members i.e. parents-in-law and husband including the petitioner are behind bars.

Learned State counsel has opposed for grant of regular bail to the petitioner. He has submitted that the charges have been framed during the trial and the case is fixed for recording of evidence. There are total 12 prosecution witnesses and none has been examined so far.

Learned counsel for the complainant has also opposed the prayer of the petitioner for grant of regular bail.

I have heard learned counsel for the parties and perused the record.

In the totality of the facts and circumstances of the case, I find that the trial is likely to take time and no useful purpose would be served by keeping the petitioner in custody for such a long time. Learned counsel for the petitioner has made out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the concerned trial Court/Duty Magistrate.

Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

22.7.2021
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No