

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

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CRM-M-6684-2021

Date of decision : 21.09.2021.

Radhay Shyam

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. R.S. Rai, Senior Advocate with
Mr. Gautam Dutt, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.17 dated 26.02.2020 under Sections 306, 34 IPC registered at Police Station GRP Kurukshetra.

Learned Senior counsel for the petitioner contends that it is alleged that the petitioner had taken money for sending the deceased abroad but the deceased was not sent abroad and he had later committed suicide. He, however, contends that the *prima facie* case under Section 306 IPC would not be made out inasmuch as the petitioner and the deceased had been arrested together at Delhi on 05.09.2019 as there were discrepancies in their travel documents and the deceased had committed suicide five months thereafter on 26.02.2021. He further contends that the deceased had a multiple entries in his VISA for a period of ten years to Canada and he had also travelled various countries. A copy of the VISA is at Annexure P-8. He also contends that the petitioner is in custody for one year and one month since his arrest on 21.08.2021.

Learned State counsel, upon instructions from SI Joginder Singh, states that 10 out of 35 prosecution witnesses have been examined. She has also referred to the reply wherein it is stated that the petitioner is involved in three other cases under Section 138 of the Negotiable Instruments Act.

Heard.

In view of the above especially when the petitioner is in custody for one year and one month, the Covid-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

September 21, 2021
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No