

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

(Through Video Conferencing)

CRM-M-6564-2021 (O&M)

Date of Decision: 04.08.2021

GAGANDEEP SINGH

.....*Petitioner*

V/s.

STATE OF PUNJAB

.....*Respondent*

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Umesh Aggarwal, Advocate,
for the petitioner.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

Mr. Rakesh Sobti, Advocate,
for Dilbagh Singh, husband of the deceased.

MANJARI NEHRU KAUL, J. (Oral)

This is the first petition filed under Section 439 of the Code of Criminal Procedure for grant of concession of regular bail to the petitioner in case FIR No.351 dated 13.10.2020 lodged under Section 306/34 of the Indian Penal Code, 1860 registered at Police Station Jandiala, District Amritsar, Punjab.

Learned counsel for the petitioner submits that the FIR in question was registered at the instance of brother of the deceased wherein he levelled allegations of harassment against the husband and brother-in-law of the deceased and stated that due to their harassment, his sister (since deceased) had ended her life by hanging herself. Learned counsel for the petitioner, while inviting the attention of this Court to the FIR in question, submits that there is no allegation much less by way of whisper against the petitioner of abetting the suicide of the deceased. He submits that it was only after 5 days from the alleged occurrence, the FIR in question was registered and he was nominated as an accused on the basis of an extra judicial confession allegedly made by him before one Harjinder Singh. Learned counsel for the petitioner submits that it is highly improbable that in the facts

and circumstances of the case especially when there were no allegations levelled against the petitioner in the FIR in question, he would have gone and made extra judicial confession inculcating himself as an accused in the crime in question by stating that he was in a relationship with the deceased and on account of certain acts on his part, the deceased had hanged herself to death.

Learned counsel for the petitioner further submits that the petitioner has been in custody since, 18.10.2020 and there is no likelihood of the trial concluding in the near future as only charges stand framed.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Manoj, has conceded that no doubt the petitioner was not named nor levelled any allegations in the FIR in question, however, the petitioner had suffered an extra judicial confession before one Harjinder Singh as a result of which his role in the crime in question came to light.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner has been in custody since 18.10.2020, 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.

August 4, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No