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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 27.07.2021

1. CRM-M No.6563 of 2021 (O&M)

Satpal Singh

....Petitioner

Versus

State of Punjab

....Respondent

2. CRM-M No.2720 of 2021 (O&M)

Sheela Rani

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Pardhuman Garg, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in these petitions is for grant of regular bail to the petitioners namely Satpal Singh and Sheela Rani under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.126 dated 18.08.2020, for offence punishable under Sections 306/201 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Arniwala, District Fazilka.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of Kirpal Singh, his son Ramandeep Singh, who was aged about 17 years and had gone to meet

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his maternal uncle (Mama) Satpal Singh. On 11.08.2020, father-in-law of the complainant informed him that Ramandeep Singh has got heart attack. On this, he reached the village Chakk Pakhi and met Satpal Singh and his wife Sheela Rani, who informed that Ramandeep Singh had died due to heart attack. Thereafter, they brought the dead body of the deceased to their village and cremated him. Later on, the complainant came to know that the death of Ramandeep Singh was not due to heart attack and the petitioners, due to an affair of their daughter with Ramandeep Singh have forced him to marry their daughter and due to that reason, he has committed suicide by hanging with a ceiling fan. It is further submitted that the petitioners are not involved in any other case.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail. Counsel for the State has also filed the affidavit of the Investigating Officer as well as the status report by Senior Superintendent of Police, Fazilka wherein it is stated that an SIT headed by the Superintendent of Police (Investigation) Fazilka, was constituted wherein in Para 5, it is stated as follows:-

“5. That the S.I.T. re-investigated the matter and submitted its report No.649-R/SP(Inv.) dated 29.06.2021. Copy of the S.I.T. report is annexed herewith as Annexure R-1/T. The main findings of the S.I.T. report is reproduced herebelow:-

“From the facts and circumstances mentioned above, the allegations levelled by complainant have not been proved during course of investigation and it was found that there is no hand of Satpal Singh son of Makhan Singh, Sheela Rani wife of Satpal Singh in the death of the

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deceased Ramandeep Singh. The SIT recommended for discharging the accused Satpal Singh son of Makhan Singh, Sheela Rani wife of Satpal Singh resident of Chak Pakhi, P.S. Arniwala and also recommended for preparation of cancellation report in above said case.”

Counsel for the State has also submitted that the SIT report has already been approved by the Senior Superintendent of Police, Fazilka, and the same has been submitted before the trial Court.

Without commenting anything on merits of the case, considering the fact that the petitioners are in custody for the last 11 months; the petitioners are not involved in any other case; the custodial interrogation of the petitioners is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioners are directed to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioners, in case they are found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

27.07.2021

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No