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

**CRM-M No.11869 of 2021(O&M)
Date of Decision: 22.03.2021**

Gejo and another

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Dharam Bir Bhargav, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.10 dated 31.01.2021 registered under Section 306 IPC at Police Station Mahilpur, District Hoshiarpur.

FIR was registered at the instance of Krishna wife of Kashmiri Lal with the allegations that Hema was her daughter-in-law i.e. wife of his son Satnam Singh @ Butta. Few days back, family of the petitioner had a fight with Hema and abused her. The complainant came to know that daughter-in-law of the petitioners namely Madhu had borrowed an amount of Rs.10,000/- from Anand Financer and Hema stood as guarantor

for the same. Hema was insisting Madhu to return the amount, but Madhu, her in-laws including the petitioners started abusing and harassing her. On 31.01.2021, Hema committed suicide by consuming some poisonous substance. Offence under Section 306 IPC has been alleged against Madhu and her in-laws including the petitioners.

Learned counsel for the petitioner submits that ingredients of offence under Section 306 IPC are not attracted as there was no concerted effort on behalf of the petitioners to abet the commission of offence by way of any such persuasion which may have culminated in the offence. The alleged suicide note is still to be compared with the handwriting of the deceased. The suicide note does not carry any date and other particulars.

Learned State counsel on the other hand opposed the bail on the ground that suicide note has already been sent to FSL and the complicity of the petitioners is prima facie found to be existed.

In view of allegations on record, the complicity of petitioners would be debatable. Petitioners are in custody since 01.02.2021. Petitioners are parents-in-law of Madhu who has allegedly borrowed money from Anand Financer for which the deceased stood as guarantor.

In view of aforesaid,without adverting to the merits of the case, I deem it appropriate to enlarge the petitioners on regular bail.

In view of above, petition is allowed. Petitioners are ordered to be released on regular bail, subject to their furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 22, 2021

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No