

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

CRM M-17941 of 2021 (O&M)

Date of Decision: June 24, 2021

Gurpreet Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. M.S. Uppal, Advocate
for the petitioner.

Mr. Randhir S. Thind, DAG, Punjab.

Mr. Sarabjit Grewal, Advocate
for the complainant.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

The petitioner has come in this 1st regular bail application under Section 439 Cr.P.C. in case FIR No. 488 dated 14.12.2020 registered under Section 306 IPC at Police Station Sadar Mansa, District Mansa.

The allegations against the petitioner husband of deceased Gurpreet Kaur aged 27 years are levelled by Makhan Singh father of deceased. As per the allegations marriage between the petitioner and deceased Gurpreet Kaur was solemnized 08 years ago out of which a son now aged around 07 years was born. The deceased Gurpreet Kaur was often harassed and humiliated on account of which she was compelled to commit suicide by means of hanging.

Mr. Manjit Singh Uppal learned counsel for the petitioner has contended that the petitioner is behind the bars since 16.12.2020 and that there is no allegation of harassment and cruelty and merely false and fabricated allegations have come about and in view of period of incarceration has sought bail.

Learned State counsel Mr. Randhir S. Thind, DAG, Punjab assisted by Mr. Sarabjit Grewal, learned counsel for the complainant has vehemently opposed the bail on the ground that the trial is underway and that if allowed bail, petitioner may influence the trial.

Appreciating the submissions of the two sides, it is as per the own stand of father of the deceased that it was after 08 years of marriage Gurpreet Kaur had committed suicide. A perusal of the FIR shows that no specific allegations have been

levelled which could prima facie appear to have been instrumental in forcing the deceased to take this drastic step.

In the light of what has been discussed and detailed above, the very applicability of offence under Section 306 of IPC is a debatable issue which could only be decided at the time of trial and, thus, without adverting on to the merits of the case, this Court deems it appropriate to grant the bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off.

June 24, 2021

amit rana

(FATEH DEEP SINGH)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No