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

CRM-M No. 18763 of 2021
Date of Decision: 21.05.2021

Sahab Ram

-Petitioner

Vs

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Paramjit Singh Jammu, Advocate,
for the petitioner.

Mr. Anant Kataria, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through
video conferencing.

Petitioner seeks grant of regular bail under Section
439 Cr.P.C. in case bearing FIR No.62 dated 26.02.2021 under
Section 306 IPC registered at Police Station Ellenabad, District
Sirsa.

Wife of the petitioner namely Sunita committed
suicide after 15/16 years of marriage. Petitioner is the husband
having a son aged 12 years.

Learned counsel for the petitioner submits that the
deceased Sunita was suffering from some mental problem.

Petitioner was not present at the time of committing suicide by Sunita. Son of the petitioner was playing in the neighbourhood and the deceased was alone in the house.

For the first time, the son saw the dead body and informed the petitioner and other neighbours. The police has not recorded the statement of son of the petitioner and any neighbour. No complaint whatsoever was made at any point of time before lodging of FIR.

The alleged beatings soon before the death has not been substantiated by the complainant by way of any date, place or manner of such beatings. The ingredients of offence under Section 306 IPC are not satisfied.

Learned State counsel submits that investigation is complete and challan has been submitted on 28.04.2021, but charges have not been framed so far.

Petitioner is in custody since 04.03.2021.

Having heard learned counsel for the parties, I find that complicity of the petitioner would remain debatable in the context of requirement of Section 306 IPC.

At this stage, without commenting anything on the merits of the case and the situation arising out of pandemic COVID-19, I deem it appropriate to enlarge the petitioner on regular bail.

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

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

May 21, 2021

Jyoti Sharma

**(RAJ MOHAN SINGH)
JUDGE**

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| 1. Whether speaking/reasoned : | Yes/No |
| 2. Whether reportable : | Yes/No |