

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

Sr. No. 223

CRM-M No. 20321 of 2021

Date of decision : 01.09.2021

Hari Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Mikhail Kad, Advocate for the petitioner.

Mr. Jagmohan S. Ghumman, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No. 78 dated 25.04.2020 registered under Sections 302/34 IPC (later on converted into Sections 306/498-A/34 IPC) at Police Station Sadar Sangrur, district Sangrur.

The petitioner is being prosecuted for having abetted his daughter-in-law's suicide.

Learned counsel for the petitioner contends that the petitioner, who is 73 years old man, has been falsely implicated in this case; the petitioner is in custody since 26.04.2020; the petitioner is not involved in any other criminal case; the investigation of the case is complete and therefore the petitioner is not in a position to influence the same; even if the case of the prosecution is taken as gospel truth, though vehemently denied, the same

contains vague allegations which would not bring the alleged role of the petitioner within the definition of abetment as contained in Section 107 IPC and that since 25 prosecution witnesses still remain to be examined the petitioner's trial is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner had abetted his daughter-in-law's suicide.

Whether the allegations against the petitioner would constitute abetment as defined under Section 107 IPC would be debated during the course of the petitioner's trial. However, the petitioner is a 73 year old man; he has no criminal antecedents; investigation in the case is complete; report under Section 173 Cr.P.C. has been filed and that since none of the 25 prosecution witnesses have been examined so far the petitioner's trial may take long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Sangrur the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

01.09.2021
sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No