

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20695-2021 (O&M)
Date of decision: 13.09.2021

Bablu Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Atul Goyal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.52 dated 29.03.2021 under Section 306 IPC, registered at Police Station Tibba, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner submits that the FIR was registered at the instance of Gurukul Mandal, father-in-law of the petitioner with the allegations that his daughter Rekha Devi was married to the petitioner in the year 2016 and there was a daughter aged about three and half years out of

this wedlock. It is further stated that the petitioner used to harass daughter of the complainant and on that account, she committed suicide. Learned counsel further submits that wife of the petitioner-deceased Rekha Devi was undergoing psychiatric treatment, as she used to remain under depression. The deceased committed suicide at a time, when the petitioner was not present at home. It is further stated in the FIR that the deceased had a suspicion on the petitioner of having some extra-marital affair and on that account, she used to remain under depression.

Reply by way of affidavit of the Investigating Officer/ASI Gurpreet Singh, Police Station Tibba, Ludhiana is on record, in which it is stated that the deceased informed the complainant that she did not want to reside with the petitioner, as she has suspicion of his having illicit relations with some other lady. It is further stated that during the investigation, no suicide note was recovered. As per post-mortem report, cause of death was haemorrhage shock due to major vessels cut due to slit throat, which is sufficient to cause death. As per statement of an independent witness Sangeeta, the complainant's daughter has committed suicide because the petitioner used to harass her.

Learned State counsel has filed the custody certificate dated 11.09.2021 in the Court today and has not disputed the factual position.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the petitioner is in custody for the last more than 05 months and is not involved in any other case and it will be a matter of trial whether the petitioner abated the deceased to

commit suicide or not, this petition is allowed and the petitioner is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

13.09.2021
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No