

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

CRM-M-25516-2020
Decided on : 09.11.2021

Sukhchain Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashok Kumar Sama, Advocate
 for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.93 dated 07.08.2018 registered under Sections 306 IPC, 1860 at Police Station State Arniwala District Fazilka.

While inviting the attention of this Court to the allegations levelled in the FIR, learned counsel for the petitioner has submitted that a perusal of the same does not even obliquely attract the mischief of any of the ingredients of Section 107/306 IPC as only vague allegations have been levelled therein that the deceased was subjected to 'harassment' by the petitioner (husband of the deceased) and his family. He submits that there was not even a whisper of what kind of harassment was meted out to the deceased much less any reason for the same. Still further, it has been submitted that prior to the suicide of the deceased, no complaint was ever made to any authority qua any harassment much less was there any

panchayat convened by the complainant in the said regard. It has been submitted that the delay of about 25 hours in the registration of the FIR further lends credence to a fabricated and false case having been foisted upon the petitioner. It has thus, been prayed that as the petitioner has been in custody since 25.12.2019 and only 03 out of 14 prosecution witnesses cited have been examined, his further incarceration would not serve any purpose more so, since the complainant, who is the material witness, already stands examined.

Per contra, learned State counsel while opposing the prayer for grant of bail on instructions from ASI Subash Chand has conceded that the complainant, who is the sole material witness, already stands examined. He however, submits that there are allegations of harassment levelled against the petitioner, who is the husband of the deceased.

Heard learned counsel for the parties.

In the facts and circumstances of the case as enumerated hereinabove, the present petition is allowed as the trial is unlikely to conclude in the near future. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

09.11.2021
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No