

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

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**CRM-M No. 36437 of 2021
Date of decision :11.10.2021**

Gopal Krishan @ Sunny

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Monty Goyal, Advocate for
Mr. Pardhuman Garg, Advocate
for the petitioner.

Mr. H.S.Sitta, AAG, Punjab.

HARNARESH SINGH GILL, J.

Prayer in this petition is for grant of regular bail in case FIR No. 92 dated 18.07.2021 registered under Section 306/34 IPC at Police Station Division 3, District Police Commissionerate Jalandhar.

Status report by way of affidavit dated 07.10.2021 of Assistant Commissioner of Police, North Jalandhar, filed on behalf of respondent-State, in the Court, is taken on record.

Learned counsel for the petitioner states that the allegations against the petitioner is that he was married to Jyoti, younger sister of deceased-Rohit Kumar but his marriage was dissolved by way of decree of divorce on 14.07.2021 by mutual consent. As per the prosecution version, the petitioner started compelling Rohit Kumar (since deceased) to perform the marriage of the petitioner with Geetanjali, sister of Rohit Kumar, and due to this reason, Rohit Kumar had committed suicide by consuming some poisonous substance. Learned counsel further contends that the petitioner had never instigated Rohit Kumar to commit suicide. Even otherwise, there

petitioner at any stage.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel states that marriage of the sister of the deceased Rohit Kumar was dissolved by mutual consent coupled with the fact that he was not agreeable for the marriage of the petitioner with his other sister, namely, Geetanjali @ Guddi, due to which Rohit Kumar committed suicide.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 18.07.2021. There is no suicide note in the present case. Petitioner has got divorce under Section 13-B of Hindu Marriage Act with mutual consent of sister of the deceased i.e Jyoti and was proposing to solemnized marriage with the other sister of the deceased i.e Geetanjali @ Guddi. No useful purpose would be served by keeping the petitioner behind the bars. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial is unlikely to conclude any time soon.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

11.10.2021

Rajeev (rvs)

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No