

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(213)

CRM-M-40815-2021

Date of Decision : November 17, 2021

Subash Chander

.. Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Saurav Bhatia, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.33 dated 04.05.2019 registered under Sections 302, 316, 498-A and 34 of the Indian Penal Code, 1860 at Police Station Balchaur, District Shaheed Bhagat Singh Nagar.

Learned counsel for the petitioner submits that in the present case, the allegation against the petitioner is of killing his wife namely Suman. Learned counsel for the petitioner further submits that the said allegation alleged against the petitioner is totally false and incorrect and rather, the petitioner has been involved in the present case without there being any justifiable reasons. Learned counsel for the petitioner further submits that the wife of petitioner was found murdered and another person namely Vikram was found hanging and rather it is a case of suicide committed by Vikram after killing the wife of the petitioner and as the

petitioner was also involved in the case relating to the death of Vikram, wherein, the petitioner has already been granted the benefit of regular bail, the petitioner may kindly be extended the benefit of regular bail in this case as well.

Learned counsel for the respondent-State submits that the allegations alleged against the petitioner are of serious in nature of killing his own wife as well as another person but though, it is conceded that the petitioner has been extended the benefit of regular bail with regard to the FIR No.34 dated 04.05.2019, which relates to the killing of Vikram.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

In the present case, the petitioner is behind the bars for the last almost two and half years. The complainant has already been examined and in another case, which co-relates with the allegations alleged in the present case, the petitioner has already been extended the benefit of regular bail keeping in view the facts and circumstances mentioned in the said order. As the complainant has already been examined in the present case, hence, there is no likelihood of the petitioner influencing the trial in any manner.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

As the trial is likely to take some time before it concludes, the petitioner has made out a case for the grant of regular bail when this Court has been assured by the learned counsel for the petitioner that in case, the benefit of regular bail is extended to the petitioner, he will not misuse the

same by either influencing the trial or the witnesses in any manner.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

November 17, 2021

harsha

**(HARSIMRAN SINGH SETHI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No