

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(218)

CRM-M-44464-2021

Date of decision: - 29.10.2021

Happy Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ahbinav Gupta, Advocate
for the petitioner.

Mr. K.S. Aulakh, Deputy Advocate General, Punjab.
(keeping in view of the advance copy given).

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.217 dated 14.05.2021, registered under Section 306 IPC, at Police Station Kotwali, District Patiala.

Learned counsel for the petitioner argues that daughter of the deceased and the petitioner are in a relationship and the daughter of the deceased had left her family home and had accompanied the petitioner, due to which, an FIR No.109 dated 10.04.2021, under Sections 363 and 366 IPC, got registered at Police Station Kotwali, District Patiala, on the asking of the deceased, where he was the complainant and the petitioner had already been granted the concession of anticipatory bail in the said

FIR as daughter of the deceased had made a statement that she had gone along with the petitioner with her own consent. Learned counsel for the petitioner further argues that merely that the petitioner was in a relationship with the daughter of the deceased and the said relationship was voluntarily on the part of the daughter of the deceased, the said relationship cannot be treated as a cause to abet suicide of the deceased.

Learned State counsel concedes the factum that the daughter of the deceased was in relationship with the petitioner and had given a statement after being recovered in pursuance to the said FIR No.109 dated 10.04.2021 that she had gone with the petitioner with her own consent. Learned State counsel submits that though, the challan has been presented in the present case, but the charges are yet to be framed.

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

Keeping in view the facts and circumstances recorded herein before, the question whether, leaving the family home by the daughter of the deceased along with the petitioner, will amount the abetment of suicide, as this is a matter of evidence, which will come on record during the trial and as the investigation is already over and the challan has already been submitted and the trial is likely to take some time to conclude, no useful purpose will be served by keeping him behind the bars any further during the trial especially when learned counsel for the petitioner has undertaken before this Court that in case the petitioner is extended the concession of regular bail, he will maintain good conduct on bail and will not influence 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, if not required to be detained in any other case, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

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

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.

October 29, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No