

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

225

**CRM-M-40815-2020  
Decided on : 23.11.2021**

Charan Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

**(Through Video Conferencing)**

**PRESENT:** Dr. Payal Mehta, Advocate  
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab  
assisted by ASI Parvesh Kumar.

\*\*\*\*

**MANJARI NEHRU KAUL, J. (Oral)**

The instant petition has been filed under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No. 40, dated 07.06.2020 (Annexure P-1), under Section 306 of IPC, registered at Police Station Hajipur, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner, who is a 54 year old man, has been in custody since 12<sup>th</sup> June, 2020, and implicated in the case in hand on the basis of a supplementary statement made by the complainant (father of the deceased). While inviting the attention of this Court to the allegations levelled in the FIR in question, learned counsel further contends that it was evident that the deceased as well as the son of the petitioner had been in a relationship with each other and had there been any role played by the petitioner in the offence in question, he would have been named at the first instance by the complainant.

Learned counsel further submits that the essential ingredients to attract the mischief of Sections 306, 107 of IPC are not made out against the

petitioner, on a bare perusal of the contents of both the FIR as well as the supplementary statement of the complainant.

*Per contra*, learned State counsel has opposed the prayer and submissions made by learned counsel for the petitioner. He, however, has not been able to controvert that no allegations were levelled against the petitioner in the FIR in question and his name had cropped up as an accused only in the supplementary statement under Section 161 Cr.P.C. made by the complainant.

I have heard learned counsel for the parties and perused the material on record.

In the facts and circumstances of the case as enumerated hereinabove coupled with the fact that only charges stand framed so far, there is no likelihood of the trial concluding anytime in the near future, as 13 prosecution witnesses have been cited by the prosecution. I, therefore, deem it fit to grant the concession of bail to the petitioner. The petition as such is allowed. The petitioner be admitted to bail to the satisfaction of trial Court/Duty Magistrate. 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**

**November 23, 2021**

*J.Ram*

*Whether speaking/reasoned:*      *Yes/No*  
*Whether Reportable:*              *Yes/No*