

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021-03-19 12:00
I attest to the accuracy and
authenticity of this document

CRM-M-41809-2020

Date of decision : 16.3.2021

Girdhari Singh

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. D.K. Bhatti, Advocate
for petitioner.

Mr. R.S. Khaira, AAG Punjab.

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HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID 2019.

Prayer is for grant of regular bail in case FIR No 311 dated 10.10.2020 registered under Sections 306, 34 IPC at Police Station Basti Bawa Khel, District Jalandhar.

FIR was registered on the complaint of Hari Singh wherein he alleged that his daughter Shilpa was married on 27.4.2019. Immediately, after marriage, her father in law (petitioner), her husband started torturing and harassing her by saying that she was manglik. Her husband asked her to divorce him. This behaviour continued for almost one year. Being fed up of this behaviour, his daughter came to her parental home some days before Raksha Bandhan. She informed that her in laws taunted and harassed her. It was alleged that due to their behaviour, his daughter committed suicide by taking poisonous substance. Before consuming poisonous substance, she had written suicide note and sent it on mobile of her friend. He further stated that in suicide note, she had written that she was fed up of life and was committing suicide. Her in laws are responsible for said act.

Learned counsel for petitioner has argued that no offence under Section 306 IPC is made out. He stated that the deceased had left matrimonial home and gone to parental home on 2.8.2020. She allegedly committed suicide on 8.10.2020 i.e. more than 2 months after leaving the matrimonial home. During this period, the petitioner had no interaction with her.

CRM-M-41809-2020

-2-

He further argued that the authenticity of suicide note has yet not been verified. Even in suicide note, there are no specific allegations against petitioner. Petitioner is a retired Government servant. He is aged about 61 years. He is suffering from various health related issues.

The investigation in case is complete. The challan has been filed. The petitioner is in custody since 14.10.2020. The trial of case has yet not commenced.

Without commenting anything on merit of case and in view of prevailing situation on account of COVID 2019, no useful purpose would be served by keeping petitioner behind bars. Hence, petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

16.3.2021
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No