

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

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**CRM-M-8047-2022
Decided on : 02.03.2022**

Arjun Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Pardeep Kumar Kapila, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Balwinder Singh.

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. 446, dated 09.08.2021, under Section 306 of IPC, registered at Police Station Zirakpur, District SAS Nagar, Mohali (annexed as Annexure P-1).

Learned counsel for the petitioner contends that he has been in custody since 10th August, 2021 for allegedly abetting the suicide of his wife. He further submits that investigation in the case is complete, as challan stands presented and the trial will take considerable time to conclude, as prosecution evidence has not yet commenced. He thus contends his further incarceration would not serve any useful purpose. Learned counsel while inviting the attention of this Court to the allegations levelled in the FIR (Annexure P-1) further submits that a perusal of the same clearly reveal that totally vague allegations have been levelled therein of the deceased being harassed by the petitioner without there being any mention of any specific instance of alleged harassment. Learned counsel

submits that the allegations levelled in the FIR do not even remotely attract the mischief of Sections 306, 107 of IPC.

Per contra, learned State counsel while opposing the prayer of the counsel opposite submits that charges are likely to be framed on the next date of hearing before the trial Court and 12 prosecution witnesses have been cited by the prosecution.

Heard learned counsel for the parties and perused the material on record.

In the facts and circumstances, as enumerated hereinabove, since, the petitioner has been in custody since 10th August, 2021 and the trial will take considerable time to conclude coupled with the fact of petitioner not being involved in any other criminal case, this Court deems it fit to extend the concession of bail to the petitioner during the trial. The petition is allowed and the petitioner is admitted to bail to the satisfaction of the concerned Trial Court/Duty Magistrate. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 02, 2022

J.Ram

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