

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

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**CRM-M-10038-2022
Decided on : 26.05.2022**

Jagga Singh @ Laddi

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Sukhmeet Singh, Advocate
for the petitioner(s).

Mr. Abhay Pal Singh Gill, AAG, Punjab
assisted by ASI Amit Pal.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No. 247, dated 30.09.2021, under Sections 306, 34 of IPC, registered at Police Station Lehra, District Sangrur (annexed as Annexure P-1).

Learned counsel for the petitioner submits that the deceased Rimpay Kaur i.e. the wife of the petitioner died after 12 years of her marriage with him and prior thereto not even once was any complaint ever given or any Panchayat convened between the parties *qua* the alleged harassment meted out to her by the petitioner or his family. Learned counsel while inviting the attention of this Court to the FIR in question, which was registered at the instance of the father of the deceased, submits it was alleged therein that after the deceased had consumed her food, she developed acidity and thereafter, she was taken to the local village Doctor, who administered some injection to her. The following morning, she was found dead in her house. However, as per the report of the chemical

examiner, which has since been received, no poison was detected in the viscera sent by the Doctor. Learned counsel submits that the cause of death of the deceased had been kept pending to await the chemical examiner's report. Hence, in the wake of the report now received, it is evident that neither had the deceased been poisoned as alleged by the complainant in the FIR nor had she committed suicide. Rather, the deceased had died a natural death.

Learned counsel further submits that it obvious that on account of passions running high on account of the death of his daughter, the complainant had levelled false allegations against the petitioner. He prays that the petitioner be extended the concession of bail, as charges have not yet been framed and thus, there is no likelihood of the trial concluding shortly.

On the other hand, learned State counsel has not been able to controvert the report of the chemical examiner, as per which, no poison was detected in the viscera sent to it. He submits that the next date before the trial Court is 04.06.2022, when the charges are likely to be framed.

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

The petitioner has been in custody since 17th December, 2021, for allegedly abetting the suicide of his wife, who was found dead in her matrimonial home. As per the chemical examiner's report, no poison was detected, which *prima facie* runs contrary to the allegations levelled by the complainant, who had alleged that his deceased daughter had either been poisoned to death or committed suicide by consuming poison on account of the alleged torture, meted out to her by the petitioner.

In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner during the pendency of the trial, as his further incarceration would serve no useful purpose. The petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that any observation made here-in-above shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 26, 2022
J.Ram

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