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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-15410-2022 in/and
CRM-M-11935-2022 (O&M)
Date of Decision:04.05.2022

MANPREET SINGH @ SONU

.. Applicant/Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Akhilesh Vyas, Advocate for applicant-petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab

...

Manoj Bajaj, J. (Oral)

CRM-15410-2022

The instant application is for pre-poning the date of hearing of the main petition to an early date.

Notice in the application.

At this stage, Mr. Dhruv Dayal, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and does not oppose the prayer.

Application is allowed and the date of hearing is pre-poned to today.

CRM-M-11935-2022 (O&M)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.0047 dated 12.06.2021 registered under Section 306 IPC, 1860 at Police Station Bhindi Saidan, District Amritsar (Rural). The petitioner is in custody since his arrest on 13.06.2021.

The allegations in the FIR as noticed by the ld. Addl. Sessions

Judge, Amritsar in the order dated 24.02.2022 are as under:

“....on 12.06.2021 police party reached hospital on the telephonic information that one Baba Jagjeet Singh “Granthi” of Gurudwara at village Bhindi Saidan had died due to consuming of some poison where Harjeet Singh got recorded his statement to the effect that on 12.06.2021 at about 10:00 a.m. Baba Jagjeet Singh had allegedly told him that he is going to end his life by committing suicide due to the harassment suffered by him at the hands of Sonu s/o Swaran Singh. He consoled Baba Jagjeet Singh by advising him not to take any such step. However, after some time, he (complainant) came to know that Baba Jagjeet Singh had committed suicide.”

Learned counsel for the petitioner contends that on 12.06.2021 in the morning Baba Jagjeet Singh ended his life with whom the other victim, namely, Gurjeet Kaur (Bhabhi of the petitioner) was suspected to be having illicit relations and later she also ended her life. He further submits that for both the incidents, different complainants implicated petitioner for abetting suicides. Learned counsel has argued that even if, it is assumed that the petitioner restrained his sister-in-law (bhabhi) against her illicit relations with Baba Jagjeet Singh, the same cannot be construed as an abetment, and admittedly, it is equally possible that she could not bear the loss of Baba Jagjeet Singh, and ended her life. He has drawn the attention of the Court to the order dated 31.01.2022 (Annexure P-3) to contend that in the case lodged in respect of the suicide by Baba Jagjeet Singh, he has already been released on regular bail, and as the investigation in the present case is also complete, he prays for bail.

Learned State counsel assisted by SI Tajinder Singh, while opposing the prayer does not dispute the sequence of facts narrated by the learned counsel for the petitioner and states that indeed the investigation of the case is complete and final report stands filed on 10.08.2021, but the trial is yet to commence.

Considering the above background and custody of the petitioner, this Court is of the opinion that the conclusion of trial is likely to consume considerable time, as the trial is yet to commence, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after his arrest.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

04.05.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No