

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

CRM-M-13491-2022
Date of Decision:-**29.08.2022**

KUNAL TEJI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Amitoj Singh Dhaliwal, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

Mr. Jagraj Singh, Advocate
for the complainant.

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KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.156 dated 19.9.2021 registered under Sections 306, 34 IPC at Police Station Sadar Hoshiarpur District Hoshiarpur.

The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case only on the ground that he is brother of co-accused Heena Teji, who got married with deceased Navdeep Singh, who committed suicide by consuming some poisonous substance on 18.9.2021 and died. The counsel for the petitioner further submits that the

petitioner is not responsible for the death of Navdeep Singh, who was having strained relations with Heena Teji. The counsel for the petitioner further submits that co-accused Heena Teji has already been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 14.2.2022 in CRM-M-48793-2021. The counsel for the petitioner further submits that the petitioner was arrested in this case on 9.2.2022 and at that time the petitioner was studying. The counsel for the petitioner further submits that after the completion of investigation, challan has been presented, but it will take time for the trial to conclude. So prayer is made that the petitioner be released on regular bail.

The present petition is contested by the State counsel, who submits that Heena Teji and other members of her family including the petitioner were continuously harassing Navdeep Singh as a result of which he consumed poison and when he was admitted in the hospital, he made statement dated 19.9.2021 to the effect that his mother-in-law Kiran, brother-in-law Kunal (petitioner) and one Paramjit Pammi were not allowing his wife to live with him and that is why he took this step by consuming poisonous substance and all of them compelled him to end his life. The State counsel has not disputed the fact the petitioner was arrested in this case on 9.2.2022 and is having no criminal history and that after completion of investigation challan has been presented. In this regard affidavit of ASI Rashwinder Pal Singh, Investigating Officer, Police Station Sadar District Hoshiarpur was also filed and the same is taken on record.

I have considered the submissions made by counsel for the parties.

Admittedly, the petitioner is real brother of Heena Teji who got married with deceased Navdeep Singh, who committed suicide on 18.9.2021 by consuming poison and died on 19.9.2021. Heena Teji has already been granted concession of anticipatory bail vide order dated 14.2.2022 in CRM-M-48793-2021. The petitioner was arrested on 9.2.2022, the police has presented the challan against the accused persons including the petitioner after the completion of investigation. Presently the petitioner is lodged in judicial custody. During his life time, the deceased never filed any petition under Section 9 of Hindu Marriage Act for restitution of conjugal rights against his wife Heena Teji. It is matter of evidence as to if the petitioner, his mother and Paramjit Pammi were not allowing Heena Teji to live in her matrimonial home, whether it amounts to abetment/incitement on their part to compel Navdeep Singh to commit suicide. During his life time, the deceased has not lodged any complaint with the Court or any other authority in this regard. It will take time for the trial to conclude. So no purpose is going to be served by prolonging any further the incarceration of the petitioner.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

29.08.2022
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No