

GURTEJ SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. P.S.Ahluwalia, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab.

Mr. Brijeshwar Singh Bhalla, Advocate
for the complainant.

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VIVEK PURI, J. (ORAL)

Custody certificate has been taken on record.

Gurtej Singh-petitioner is seeking regular bail in the case bearing FIR No.88 dated 18.07.2021 under Sections 304-B/34 IPC, 1860, registered at Police Station Bhadson, District Patiala.

Briefly, the case has been registered on the basis of the statement of Narang Singh, the father of the deceased alleging that the marriage of the deceased was solemnized with the petitioner on 22.11.2020. There are allegations with regard to demand of Rs. 1,00,000/- and consequently, harassment was meted out to the deceased on that score. The deceased had committed suicide on 18.07.2021.

Learned counsel for the petitioner has pointed out that the FIR has been lodged on the basis of false allegations. The deceased as well as her husband were working as government teachers and it cannot be said that a

demand of Rs.1,00,000/- would have been raised. Moreover, an inquiry in the matter was also conducted wherein it has been observed that the deceased was in relationship with another teacher prior to her marriage and had committed suicide on account of repentance and depression. Furthermore, the deceased had also recorded a suicide note wherein it has been specifically mentioned that she is taking the step on account of mental depression and she was aware of the fact that her act was wrong one. It has been further mentioned that no one should be held responsible for her death and she was taking the decision of her own.

Learned State counsel and counsel for the complainant have opposed the bail application on the score that the death has occurred within a period of 08 months from the date of marriage and there are allegations to the effect that the deceased had disclosed with regard to demand of Rs.1,00,000/- to her father a day prior to the occurrence.

Learned State counsel has also not disputed that after the conclusion of the investigation, the challan has been presented against the petitioner and her mother. Three other family members have been found to be innocent. The opinion of the handwriting expert on the suicide note has also been procured and the same is in the handwriting of the deceased.

In the instant case, the unfortunate death took place within a period of about 08 months from the date of marriage but the material on record is indicative of the fact that the deceased had committed suicide on account of mental depression and she had specifically stated in the suicide note that no one should be held responsible for the death. Moreover, an inquiry in the matter further indicates that on account of some past relationship, the deceased was under depression and repenting the previous

act.

Custody certificate indicates that the petitioner is in custody for a period of 9 months. Till date no witness has been examined and as such, conclusion of trial is likely to take some time. No fruitful purpose would be served by detaining the petitioner in further custody.

Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

22.04.2022

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No