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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19339-2022 (O&M)
Date of decision: 13.05.2022

Gurdas Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ramesh Sharma, Advocate
for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.184 dated 28.09.2021 under Sections 306, 506, 149 IPC, registered at Police Station Talwandi Sabo, District Bathinda.

Learned counsel for the petitioner relies upon the order dated 27.04.2022 passed in CRM-M-3055-2022, vide which co-accused Harjinder Singh @ Masha Singh has been granted the concession of regular bail, by passing the following order: -

“...Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant

Lakhwinder Singh, it is stated that the accused persons have threatened his 16 years old son namely Arshpreet Singh regarding opening of a gate on the backside of their house, which is towards the gate of the house of complainant. On this threat, Arshpreet Singh became perplexed and later on, he committed suicide.

Learned counsel for the petitioner further submits that in fact there is no suicide note and two of the co-accused have already been granted the concession of anticipatory bail by this Court, vide order dated 29.11.2021 passed in CRM-M-44303-2021.

Learned counsel further submits that the petitioner is in judicial custody for the last 04 months and 17 days and complainant Lakhwinder Singh and his wife have compromised the matter with the petitioner and have also sworn in their respective affidavits (Annexure P-4 and P-5) in this regard. Both of them have also entered into a panchayati compromise that on verification, at their own level, they came to know that Arshpreet Singh has died a natural death and they have no doubt on anybody mentally harassing Arshpreet Singh in any manner, which led him to commit suicide.

Learned State counsel has filed the custody certificate and could not dispute the aforesaid facts...”

For the sake of brevity, facts are not reproduced again.

Learned counsel submits that the petitioner is in custody for the last 05 months and 03 days and is not involved in any other case and even the matter has already been compromised between the parties.

Learned State counsel has filed the custody certificate in the Court today and has not disputed the factual position.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

13.05.2022
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No