

GURPARTAP SINGH**...PETITIONER****VERSUS****STATE OF PUNJAB****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been circulated today and the same is taken on record.

Gurpartap Singh-petitioner is seeking regular bail in the case bearing FIR No.77 dated 31.05.2021 under Sections 306/34 IPC, 1860, registered at Police Station City Patti, District Tarn Taran.

Briefly, as per the version of the prosecutrix, the marriage of the deceased was solemnized about 03 years prior to the occurrence with the petitioner and a son was born from the wedlock. At the time of the birth of the child, the parental family of the deceased had given Rs. 1,00,000/- to the petitioner and his mother. Even, thereafter, the family members of her in-laws had been quarreling with the deceased and on 2/3 occasions Panchayats were convened. On 31.05.2021, the deceased had committed suicide by consuming some poisonous substance.

Learned counsel for the petitioner contends that the charge under Section 306 IPC has been framed in the instant case. The deceased had not left any suicide note and the petitioner is in custody for a period exceeding one year.

Similar allegations were levelled against the mother and sister of the petitioner who were found innocent during the course of investigation. There is no allegation with regard to any demand having been raised by the petitioner at any point of time. There are vague allegations to the effect that the petitioner, his mother and sister had been entering into quarrel with the deceased.

The bail has been resisted on the score that there are serious allegations levelled against the petitioner who is the husband of the deceased. However, it has been stated that only 01 out of 13 witnesses has been examined so far.

The deceased had not left any suicide note. There is nothing to suggest that the matter with regard to any discord was reported in writing at any forum during the lifetime of the deceased. The petitioner is in custody for a period of 01 year and 04 days. The charge has been framed under Section 306 IPC and only 01 out of 13 witnesses has been examined so far. The conclusion of the trial is likely to take sometime. As such, no fruitful purpose will be served by detaining the petitioner in further custody and sufficient mitigating circumstances are made out to extend the concession of the bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

02.06.2022
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(VIVEK PURI)
JUDGE

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