

GURPREET SINGH @ GOPI

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Mr. Hittan Nehra, Addl. AG, Punjab.

VIVEK PURI, J. (ORAL)

Mr. Digvijay Nagpal, Advocate has put in appearance on behalf of the complainant and filed memo of appearance, which is taken on record.

Short reply by way of affidavit of Shamsheer Singh, PPS, Deputy Superintendent of Police, Sub-Division Kotkapura, District Faridkot on behalf of the respondent-State has been filed and the same is taken on record.

Gurpreet Singh @ Gopi-petitioner is seeking regular bail in the case bearing FIR No.89 dated 30.04.2022 under Sections 306/34 IPC, 1860 registered at Police Station City Kotkapura, District Faridkot.

Briefly, the FIR has been registered on the basis of the statement of the father of the deceased alleging that the marriage of his daughter Sarabjit Kaur @ Sarbi-deceased was solemnized with Pritam Singh @ Peetu, the brother of the petitioner about 9/10 years prior to the occurrence. The petitioner along with his father-Bagicha Singh had been harassing the deceased for doing household work and abusing her on that score. The deceased has committed suicide by hanging on 30.04.2022.

Learned counsel for the petitioner contends that the petitioner is having two daughters and a son. The petitioner is the elder brother of the husband of the deceased. The deceased had not left any suicide note. The deceased along with her husband were residing in the separate room of the same house and maintaining a separate kitchen. The marriage of the deceased was solemnized with the brother of the petitioner about 9/10 years prior to the occurrence. No complaint at any forum was submitted either by the deceased or her husband or any parental family members against the petitioner. Bagicha Singh, the father of the petitioner has been granted interim bail. The investigation of the case is complete and the challan has been presented.

The bail has been resisted by the learned State counsel and counsel for the complainant on the score that the case of the petitioner cannot be termed to be at parity with the father as he has been granted interim bail on the score that he was 62 years old. Furthermore, the witnesses are yet to be examined.

Be that as it may, the petitioner is the elder brother of the husband of the deceased. The marriage of the deceased was solemnized with the brother of the petitioner about 9/10 years prior to the occurrence. There is nothing to suggest that the deceased or her husband or any member of his parental family had submitted any complaint at any forum against the petitioner during her life time. Furthermore, the deceased had not left any suicide note. The arrest of the petitioner has been effected on 30.04.2022. It has not been disputed that the petitioner is not involved in any other case. The investigation of case is complete, the challan has been presented and the conclusion of the trial is likely to take some time. No fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

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.

27.07.2022
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(VIVEK PURI)
JUDGE

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