

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

**CRM-M-28954 of 2022 (O&M)
DECIDED ON:14th July, 2022**

Sukhwinder Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. M.K. Dhot, Advocate for petitioner.
Mr. Dhruv Dayal, Sr. DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No.39 dated 30.4.2022, under Section 306 IPC, 1860, registered at Police Station Cheema, District Sangrur.

As per the allegations of complainant-Wadhawa Singh, his son-Bikkar Singh committed suicide on 29.4.2022 by hanging himself with a tree. As per the allegations made by the complainant in the supplementary statement, the deceased committed suicide as his wife was having illicit relationship with one Sukhwinder Singh (petitioner), the deceased brought this fact to the notice of Kirna, his sister in-law but she told that his wife will live in the same manner as she considered him to be a dead person.

Learned counsel for the petitioner submits that it is a case of false implication. The petitioner was named in supplementary statement. No suicide note was left by the deceased. He further relies upon the fact that co-accused was granted interim anticipatory bail by this Court on 18.5.2022.

Learned counsel for the State appearing on advance notice on instructions from ASI Gurbachan Singh opposes the prayer for grant of bail. He submits that the complainant had specifically named the petitioner in the supplementary statement.

Without commenting upon the merits of the case, considering that there was no suicide note left by the deceased, no recovery is to be made and it would be a debatable issue as to whether on the basis of the allegations, case of abetment under Section 306 IPC is made out or not, co-accused was granted interim anticipatory bail and no useful purpose would be served by depriving the personal liberty of the petitioner, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous.

14th July, 2022

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>