

CRM-M-31035-2022

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

CRM-M-31035-2022

Date of decision:25.07.2022

Parveen Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ajay Pal Singh Rehan, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.114 dated 26.08.2021, registered at Police Station Sadar Pathankot, District Pathankot, under Sections 306 and 34 IPC.

Learned counsel for the petitioner contends that the petitioner is the brother-in-law of Abhimanyu @ Sonu, who committed suicide on 25/26.08.2021; that the petitioner has been in custody since 23.05.2022; that the only allegations against the petitioner are that he being brother of Deepak Mala @ Sabhu, used to threaten the deceased, and that even as per the suicide note, there is no act of instigation or abetment attributed to the petitioner.

Still further, learned counsel submits that co-accused, namely, Dyal Chand @ Dyalu, who had allegedly got converted the religion of co-accused, Deepak Mala @ Sabhu, to Christianity from Hindu, and co-accused, namely, Deepak Mala @ Sabhu have since been granted the concession of regular bail by this Court, vide orders dated 07.02.2022 passed in CRM-M-49560-2021 and dated 20.04.2022 passed in CRM-M-10271-2022, respectively.

Learned State counsel, on the other hand, while opposing the grant of bail to the petitioner, submits that the petitioner has specifically

CRM-M-31035-2022

been named in the FIR as well as in the suicide note; that the petitioner had instigated the deceased to commit suicide; that the suicide note has been sent to FSL for analysis and the report is still awaited, and that the case is still under investigation. However, he does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

The petitioner is the brother-in-law of deceased and the only allegation against the petitioner is that he used to threaten the deceased. Co-accused, namely, Dyal Chand @ Dyalu had tried to change the religion of the wife of the deceased. The co-accused, namely Dyal Chand @ Dyalu and Deepak Mala @ Sabhu have since been granted the concession of regular bail.

The petitioner has been in custody since 23.05.2022. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

25.07.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No