

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

211

**CRM-M-34756-2022
Decided on : 10.10.2022**

Simranjit Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vivek Salathia, Advocate
for the petitioner(s).

Mr. AS Sandhu, AAG, Punjab
assisted by SI Rakesh Kumar.

SANJAY VASHISTH, J. (Oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner – Simranjit Singh, who has been booked for having committed the offence punishable under Sections 306, 149 of IPC, in FIR No. 0111, dated 19.10.2021, registered at Police Station Division-D, District Police Commissionerate, Amritsar, during the pendency of trial.

At the outset, learned State counsel has filed the custody certificate dated 07.10.2022 in Court today. Same is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

Learned counsel for the petitioner submits that deceased in the present case is Dilprit Singh, who was married to Paramjit Kaur. Said Paramjit Kaur was related as sister to the present petitioner. He further submits that as per the allegations mentioned in the FIR No.0111, dated

19.10.2021 (Annexure P-1), it is clear that said allegations were levelled regarding the character of Paramjit Kaur, who committed suicide and due to her committing of suicide, FIR No. 110, dated 18.10.2021, under Section 306 of IPC, registered at P.S. Division-D, District Police Commissionerate, Amritsar (Annexure P-2), was registered against Dilprit Singh, who also committed suicide and resultantly, FIR No.0111, dated 19.10.2021 (Annexure P-1) was lodged.

Learned counsel for the petitioner argues that there is no material with the police about any active role or abatement caused by the petitioner. Rather, Dilprit Singh has died after his arrested in case FIR No. 110, dated 18.10.2021 (Annexure P-2), while he was in police custody. He further submits that there are fairly arguable points during the course of the trial, showing the innocence of the petitioner, and further incarceration of the petitioner is not worth in this case.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that here is a case where during investigation, it is found that deceased had left a note written in his hand on the wall of the jail with the curry of Soya chunks (vegetable provided in jail).

Learned State counsel further, on instructions from SI Rakesh Kumar, also furnishes the information that after completion of investigation, challan has been presented and now the case is fixed for 20.10.2022 for framing of charges. Prosecution has to examine total 24 witnesses and trial is yet to commence.

After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds that there are arguable points to reach to the conclusion, whether there is any

active role of the present petitioner or not, and if there is any, whether, same is sufficient to cause abatement, forcing the person to commit suicide. Apart from this, petitioner is inside jail for the last about 03 months and 24 days and trial is yet to commence, thus, it would take considerable time to conclude. The unfortunate part of the matter is that both the spouses have committed suicide leaving behind their two years old child alone.

After considering all the aspects, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

October 10, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*