

CRM-M-35593-2022

Date of decision: 10.10.2022

SATGUR SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Gaurav Sharma, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG, Punjab.
Mr. Paviterdeep Bhinder, Advocate for the complainant.

VIVEK PURI, J. (ORAL)

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

Satgur Singh-petitioner is seeking regular bail in the case bearing FIR No.97 dated 28.05.2022 under Sections 306/34 IPC, 1860, registered at Police Station Lehra, District Sangrur.

Briefly, the allegations levelled in the FIR are to the effect that the marriage of the deceased was solemnized with the petitioner about 15 years prior to the occurrence and a male child presently aged about 12/13 years was born from the wedlock. The deceased had committed suicide on 28.05.2022.

Learned counsel for the petitioner contends that the marriage was solemnized about 15 years prior to the occurrence. No complaint was submitted against the petitioner either by the deceased or anyone from her parental family at any forum during her lifetime. Although, in the suicide note there is a mention to the effect that the deceased was tired of giving her character certificate but the petitioner has neither been specifically named nor any specific allegation has been attributed against him in the suicide note. The arrest of the petitioner was effected on 10.06.2022 and is in custody for a period of about 04 months. He is not involved in any other case. The investigation of the case is

complete and challan has been presented. Moreover, the co-accused i.e. the mother and brother of the petitioner have been granted pre-arrest bail.

Learned State counsel and counsel for the complainant have opposed the bail application on the score that the case of the petitioner cannot be termed to be at parity with his mother and brother. Furthermore, there are serious allegations levelled against the petitioner which prompted the deceased to commit suicide.

It may be mentioned here that the case of the petitioner cannot be termed to be at par with his mother and brother but significantly, they have been granted pre-arrest bail. However, the petitioner is seeking regular bail and is in custody for a period of 04 months. He is not involved in any other case. The petitioner has not been specifically named in the suicide note. There is nothing to suggest that during the lifetime of the deceased any complaint was submitted against the petitioner at any forum either by her or any member of her parental family. The investigation of the case is complete, challan has been presented and the conclusion of trial is likely to take sometime. 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.

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.

10.10.2022
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(VIVEK PURI)
JUDGE

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