

CRM-41072-2022, CRM-41073-2022, CR-41074-2022 IN/AND
CRM-M-40352-2022 -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(106) CRM-41072-2022, CRM-41073-2022, CRM-41074-2022 IN/AND
CRM-M-40352-2022

Date of decision: 09.11.2022

Tarlochan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Satwant Singh Rangi, Advocate for the petitioner.
Mr. Mohit Choudhary, AAG, Punjab.
Mr. Jasinder Singh Sekhon, Advocate for the complainant.
...

SUVIR SEHGAL, J. (Oral)

CRM-41072-2022

Noticing the prayer made in the application, it is allowed.

Hearing of the main case is preponed from 05.12.2022 to today
and it is ordered to be taken on Board.

CRM-41073-2022

Application is allowed as prayed for.

Affidavit of the applicant-petitioner dated 18.10.2022 is taken
on record as Annexure P-8.

CRM-41074-2022

Prayer made in the application is for grant of interim bail for
three weeks to enable the applicant-petitioner to sow wheat crop.

Counsel for the applicant-petitioner does not want to press the
application.

Dismissed as not pressed.

CRM-M-40352-2022

Instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.261 dated 14.10.2021, registered for offence under Section 306 of the Indian Penal Code, 1860, at Police Station Sadar Nabha, District Patiala, Annexure P-1.

Counsel for the petitioner contends that the petitioner is the brother-in-law of the complainant. He submits that due to a land dispute between the parties, the petitioner has been named as an accused in FIR, Annexure P-1, lodged by Paramjit Kaur, and allegation levelled against him is that he had maligned the character of the complainant's daughter, which instigated her to commit suicide. Reference has been made by him upon order dated 01.06.2022, Annexure P-5, passed by this Court in CRM-M-24709-2022, whereby, arrest of co-accused, Charanjit Kaur, has been stayed. Counsel asserts that the petitioner, who is in custody since 12.04.2022, has a clean past and is no longer required for custodial interrogation, as investigation qua him is complete.

Upon instructions from ASI, Harjeet Singh, State counsel has opposed the petition and submits that there are specific allegation against the petitioner, who has been named in the FIR, Annexure P-1. By referring to the FSL report, he submits that a suicide note, Annexure P-2, left behind by the deceased naming the petitioner, has been found to have been written by her. He has specific instructions to state that the supplementary challan qua the petitioner has been presented on 12.07.2022, though the charge is yet to be framed.

Counsel representing Rupinderjit Singh, husband of the complainant, though not a party to the petition, submits that he does not have any objection, in case, the petitioner is released on bail.

I have considered the submissions made by the counsel for the parties.

Considering that challan has been presented, but the trial is yet to start, length of custody of the petitioner and above all, stand taken by complainant's husband, this Court is inclined to accept the prayer made in the petition.

Without adverting to the merits or demerits of the arguments addressed by counsel for the parties, petition is allowed. Petitioner is ordered to be released on bail during the pendency of trial, on furnishing adequate bail/surety bonds to the satisfaction of the Area Magistrate/Duty Magistrate concerned.

It is clarified that nothing said hereinabove shall be construed to be an expression of opinion on the merits of the case.

(SUVIR SEHGAL)
JUDGE

09.11.2022
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes