

**CRM-M-46140 of 2022 and
CRM-M-47155 of 2022**

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

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**CRM-M-46140 of 2022
Date of Decision:16.11.2022**

Jasvir Kaur

....Petitioner

Versus

State of Punjab

.....Respondent

2)

CRM-M-47155 of 2022

Gurtej and another

....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Gopal Singh Nahel, Advocate,
for the petitioners.

Mr. Kunal Vinayak, AAG, Punjab.

Mr. Ankit Chauhan, Advocate, for
Mr. Monty Goyal, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (Oral)

Both the cases are taken up together for final disposal with the consent of learned counsel for the parties as the same arise out of the same FIR and the prayer in both the cases is for the grant of regular bail in FIR No.155 dated 28.07.2022, under Section 306 IPC, registered at Police Station Dhuri, District Sangrur.

It has been submitted by the learned counsel for the petitioners that the

petitioner (in CRM-M-46140 of 2022) as also the petitioner namely Gurtej (in CRM-M-47155 of 2022) are in custody from 26.08.2022 and the petitioner namely Balvir Singh is in custody from 03.09.2022 and the investigation of the case has been completed and the challan has been presented to the competent Court. He submitted that it is a case where the allegation against the petitioners was that son of the complainant namely Manpreet Singh was married with one of the petitioners, namely Jasvir Kaur and he was doing joint business with the brother of Jasvir Kaur namely Gurtej and they had also bought a harvesting combine for Rs.18,00,000/- but thereafter the account *inter se* between them was not settled with regard to the receipts after harvesting the crops and due to the aforesaid financial dispute the aforesaid Manpreet Singh committed suicide. Learned counsel submitted that even as per the prosecution story itself, the offence under Section 306 IPC was not made out since none of the ingredients under Sections 306 IPC read with Section 107 have been made out and there is no allegation with regard to abetment to commit suicide. He further submitted that the trial of the case may take long time and therefore the petitioners may be considered for the grant of regular bail.

On the other hand, Mr. Kunal Vinayak, learned AAG, Punjab has stated that it is correct that the petitioner (in CRM-M-46140 of 2022) as also the petitioner namely Gurtej (in CRM-M-47155 of 2022) are in custody from 26.08.2022 and the petitioner namely Balvir Singh is in custody from 03.09.2022 and the investigation of the case has been completed and thereafter challan has been presented. He has however submitted that the deceased had committed suicide because of the harassment by the petitioners.

Mr. Ankit Chauhan, Advocate appearing on behalf of the complainant and has opposed the grant of regular bail to the petitioners.

I have heard the learned counsel for the parties.

It is a case where the dispute was between the deceased and his in-laws and apparently on the basis of the FIR, the allegations made in the FIR, there was a dispute with regard to financial settlement of accounts. The argument raised by the learned counsel for the petitioners that the basic ingredients of Section 306 IPC read with Section 107 are not satisfied, carries weight at least for the purpose of considering the present petition for bail but without commenting or observing on the merits of the case. Furthermore, it has not been argued by the learned State counsel that in case the petitioners are released on bail, then they may abscond from justice or they may influence any witness.

In view of the aforesaid position, both the present petitions are allowed. The petitioners shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petitions.

(JASGURPREET SINGH PURI)
JUDGE

November 16, 2022
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No