

RAMAN

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

VIVEK PURI, J. (ORAL)

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

Raman-petitioner is seeking regular bail in the case bearing FIR No. 69 dated 21.08.2021 under Sections 306/34 IPC, 1860, registered at Police Station Kahnuwan, District Gurdaspur.

Briefly, the case has been registered on the basis of the statement of Lalita, the mother of the deceased-Shabnam alleging that the marriage of the deceased was solemnized with the petitioner about 04 years prior to the day of occurrence. The couple was blessed with two children. The petitioner and other family members used to harass and beat the deceased. On 21.08.2021, at about 04:00 PM, the petitioner had telephonically informed the complainant that the deceased has consumed some poisonous substance which resulted in her death. Even, on 20.08.2021, the deceased had made a telephonic call to the complainant and informed that the family members of her in-laws are giving beatings and being up-set with them, she would commit suicide by consuming something.

Learned counsel for the petitioner contends that Soma, the sister and

Arjan, the cousin of the petitioner have been found innocent during the course of investigation and Urmila, the mother of the petitioner has been granted pre-arrest bail. The relations of the deceased with the petitioner were cordial and there is nothing to suggest that any complaint was submitted at any during the subsistence of the marriage. Even, there is no suicide note recorded by the deceased. The charge under Section 306 IPC has been framed. There is no allegation with regard to any demand of dowry, the petitioner is in custody for a period of 05 months and 24 days and is not involved in any other case.

On instructions from ASI Amrik Singh, learned State counsel has not assailed the aforesaid factual aspects.

The petitioner is in custody for a period of 05 months and 24 days, the investigation of the case is complete, challan has already been presented, two of the co-accused were found innocent, the mother of the petitioner has been granted pre-arrest bail,there is no suicide note recorded by the deceased and the conclusion of the trial is likely to take sometime. As such, no fruitful purpose will be served by detaining the petitioner in further custody and sufficient mitigating circumstances are made out to extend the concession of the 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.

29.03.2022
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(VIVEK PURI)
JUDGE

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