

220 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-50952-2022
Date of Decision: 09.11.2022

KULDEEP SINGH ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Sherry K. Singla, Advocate
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

VIVEK PURI, J.(ORAL)

The petitioner is seeking regular bail in case bearing FIR No. 50 dated 06.04.2022 under Sections 306 and 34 IPC registered at Police Station Raman, District Bathinda.

Custody certificate has been placed on record.

Briefly, the FIR has been registered on the basis of the statement of Harpreet Singh alleging that the marriage of his sister Veerpal Kaur-deceased was solemnized about 13-14 years back with the petitioner and a son presently aged about 10 years was born from the wedlock. The petitioner along with father Darshan Singh had been giving beatings to the deceased under the influence of liquor. The deceased had committed suicide by consuming some poisonous substance on 05.04.2022.

Learned counsel for the petitioner contends that the marriage of the deceased was solemnized with the petitioner about 13-14 years ago.

There is nothing to suggest that during the lifetime of the deceased any complaint was submitted at any forum either by her or any member of her parental family. The petitioner is in custody for a period of 07 months and 04 days and not involved in any other case. The

investigation of the case is complete and challan has also been presented. Furthermore, the co-accused, namely, Darshan Singh, has been granted regular bail by this Court in terms of the order dated 16.09.2022 passed in CRM-M-41754-2022.

Learned State counsel has opposed the bail application primarily on the score that there are categoric allegations with regard to the beatings given by the petitioner and his father attributed in the FIR and the deceased had committed suicide on that score. There are allegations in the FIR to the effect that the brother of the deceased had submitted some complaints on account of matrimonial dispute against the petitioner. However, the same were not pursued further as the matter was amicably settled. However, it has not been disputed that no such complaint has been annexed with the challan.

It is significant to note that the marriage of the deceased was solemnized with the petitioner about 13-14 years prior to the occurrence. A son has also been born from the wedlock who is stated to be presently in custody of the father of the petitioner. There is no document to indicate that during the lifetime of the deceased, either the deceased or any member of her parental family had submitted any complaint at any forum with regard to the maltreatment or harassment meted out to her by the petitioner. The investigation of the case is complete and challan has been presented. The petitioner is in custody for a period of 07 months and 04 days and not involved in any other case. It has been further pointed out that the charge is yet to be framed and as such, the conclusion of trial is likely to take sometime and no fruitful purpose will be served by detaining the petitioner in further custody. Furthermore, co-accused i.e. the father of the petitioner

has been granted regular bail by this Court. 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/Chief Judicial Magistrate/Duty Magistrate.

09.11.2022
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(VIVEK PURI)
JUDGE

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